



भारत का राजपत्र The Gazette of India

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

साप्ताहिक
WEEKLY

सं. 24]
No. 24]

नई दिल्ली, जून 7—जून 13, 2009, शनिवार/शुक्र 17—शुक्र 23, 1931
NEW DELHI, JUNE 7—JUNE 13, 2009, SATURDAY/JYAISTHA 17—JYAISTHA 23, 1931

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पुस्तक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (II)
PART II—Section 3—Sub-section (II)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएँ
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

विधि और न्याय मंत्रालय

(विधि कार्य विभाग)

नई दिल्ली, 6 जून 2009

का.आ. 1606.—राष्ट्रपति, श्री गुलाम ई. वाहनवती वरिष्ठ अधिवक्ता का दिनांक 6 जून, 2009 पूर्वाह्न से भारत के महा-सोलिसिटर के पद से त्यागपत्र स्वीकार करते हैं।

[फा. सं. 18(2)/2004-न्यायिक]

एम. ए. खान यूसुफी, संयुक्त सचिव एवं विधि सलाहकार
MINISTRY OF LAW AND JUSTICE

(Department of Legal Affairs)

New Delhi, the 6th June, 2009

S.O. 1606.—The President is pleased to accept the resignation of Shri Goolam E. Vahanvati, Senior Advocate as Solicitor General of India with effect from 06-06-2009 (FN).

[F.No. 18(2)/2004-Judl.]

M. A. KHAN YUSUFI, Jt. Secy. & Legal Adviser

विक्रम मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 27 अप्रैल, 2009

का.आ. 1607.—केन्द्रीय सरकार राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम 1976 के नियम 10 के उपनियम 4 के अनुसरण में राजस्व विभाग के अधीन केन्द्रीय उत्पाद शुल्क एवं सीमाशुल्क बोर्ड के निम्नलिखित कार्यालयों को जिनके 80 प्रतिशत कर्मचारीवृन्द ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है।

1. केन्द्रीय उत्पाद शुल्क आयुक्तालय, आई.पी. एस्टेट, नई दिल्ली-110011
2. केन्द्रीय उत्पाद शुल्क आयुक्तालय, एफ ब्लॉक, ऋषि नगर, लुधियाना

[फा. सं. 11012/1/2008-हिन्दी-2]

नम्रु शाह, निदेशक (राजभाषा)

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 27th April, 2009

S.O. 1607.—In pursuance of Sub Rule 4 of Rule 10 of the Official Language (use of official purpose of the Union) Rules 1976 the Central Government hereby notifies the following offices under the Central Board of Excise & Custom, Department of Revenue, the 80% staff where of have acquired the working knowledge of Hindi;

1. Office of the Commissioner of Central Excise, IP Estate, New Delhi-110011.
2. Office of the Commissioner of Central Excise, F. Block, Rishi Nagar, Ludhiana.

[F. No. 11012/1/2008-Hindi-2]

MADHU SHARMA, Director (OL)

(बितीय सेवाएं विभाग)

नई दिल्ली, 5 जून, 2009

क्र.आ. 1608.—भारतीय रिजर्व बैंक अधिनियम, 1934 की धारा 8 की उपधारा (4) के साथ पठित, उपधारा (1) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, डा. के. सी. चक्रवर्ती, अध्यक्ष एवं प्रबन्ध निदेशक, पंजाब नेशनल बैंक, को, उनके कार्यभार ग्रहण करने की तारीख से तीन वर्ष की अवधि के लिए अध्यक्ष अगले अवधियों तक, जो भी पहले हो, भारतीय रिजर्व बैंक के उप-गवर्नर के रूप में नियुक्त करती है।

[फा. सं. 7/5/2008-बीओ.-I]

जी. बी. सिंह, उप सचिव

(Department of Financial Services)

New Delhi, the 9th June, 2009

S.O. 1608.—In exercise of the powers conferred by clause (a) of sub-section (1) read with sub-section (4) of Section 8 of the Reserve Bank of India Act, 1934, the Central Government, hereby appoints Dr. K. C. Chakraborty, Chairman & Managing Director, Punjab National Bank as Deputy Governor, Reserve Bank of India for a period of three years from the date of his taking charge or until further orders, whichever is earlier.

[F. No. 7/5/2008-BO.-I]

G. B. SINGH, Dy. Secy.

स्वास्थ्य और परिवार कल्याण विभाग

(स्वास्थ्य और परिवार कल्याण विभाग)

नई दिल्ली, 29 मई, 2009

क्र.आ. 1609.—भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 11 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार भारतीय आयुर्विज्ञान परिषद् से परामर्श करने के पश्चात् उक्त अधिनियम की प्रथम अनुसूची में एतद्वारा निम्नलिखित और संशोधन करती है, अर्थात् :-

उक्त प्रथम अनुसूची में शीर्षक "मान्यताप्राप्त चिकित्सा अर्हता" [स्तम्भ (2) में] के अंतर्गत "पश्चिम बंगाल स्वास्थ्य विज्ञान विश्वविद्यालय, कोलकाता" और शीर्षक "पंजीकरण के लिए संकेतन" [स्तम्भ (3) में] के अंतर्गत निम्नलिखित प्रविष्टियां शामिल की जाएंगी :-

| 2 | 3 |
|--|---|
| आयुर्विज्ञान स्नातक और स्नातक-विज्ञान स्नातक | एम.बी.बी.एस. (यह एक मान्यता प्राप्त चिकित्सा अर्हता होगी यदि वह पश्चिम बंगाल स्वास्थ्य विज्ञान विश्वविद्यालय, कोलकाता द्वारा स्नातकोत्तर चिकित्सा शिक्षा एवं आयुर्विज्ञान संस्थान, कोलकाता, पश्चिम बंगाल में प्रशिक्षण प्राप्त कर रहे छात्रों के संबंध में फरवरी, 2009 में अथवा उसके उपरान्त प्रवेश की गई हो।) |

[फा. सं. यू. 12012/86/2002-एचई (पी-II)]

एन. बारिक, अवर सचिव

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health and Family Welfare)

New Delhi, the 29th May, 2009

S.O. 1609.—In exercise of the powers conferred by sub-section (2) of the Section 11 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, namely :-

In the said First Schedule against "West Bengal University of Health Sciences, Kolkata" under the heading 'Recognized Medical Qualification' [in column (2)] and under the heading "Abbreviation for Registration" [in column (3)], the following shall be inserted, namely :-

| 2 | 3 |
|--|--|
| Bachelor of Medicine and Bachelor of Surgery | M.B.B.S. (this shall be a recognized medical qualification when granted by West Bengal University of Health Sciences, Kolkata, West Bengal on or after February, 2009 in respect of students being trained at Institute of Post-Graduate Medical Education & Research, Kolkata, West Bengal). |

[F. No. U. 12012/86/2002-ME(P-II)]

N. BARIK, Under Secy.

नई दिल्ली, 29 मई, 2009

क्र.सं. 1610.—भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1936 (1936 का 102) की धारा 11 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार भारतीय आयुर्विज्ञान परिषद् से परामर्श करने के पश्चात् उक्त अधिनियम की प्रथम अनुसूची में एम्बेला निम्नलिखित और संशोधन करती है, अर्थात् :—

उक्त प्रथम अनुसूची में शीर्षक "मान्यता प्राप्त चिकित्सा अर्थात्" [संलग्न (2) में] के अंतर्गत "कालीकट चिकित्साविद्यालय, कालीकट" और "सर्वोच्च चिकित्सा के लिए संशोधन" [संलग्न (3) में] के अंतर्गत निम्नलिखित शीर्षक जोड़े जायेंगे, अर्थात् :—

| 2 | 3 |
|-------------------------------------|--|
| आयुर्विज्ञान विभाग और सत्य-विद्यालय | एम्बेला, केरल। (यह एक मान्यता प्राप्त चिकित्सा अर्थात् सर्वोच्च यदि वह कालीकट चिकित्साविद्यालय, कालीकट द्वारा अम्बेला आयुर्विज्ञान संशोधन, त्रिपुर, केरल में प्रशिक्षण प्राप्त करने के पश्चात् जो संघ में नवम्बर, 2008 में अपना उत्तम उत्तर प्रदान की गई है।) |

[फा. सं. यू. 12012/113/2002-मे (प-II)]

एन. बारीक, अवर सचिव

New Delhi, the 29th May, 2009

S.O. 1610.—In exercise of the powers conferred by sub-section (2) of the Section 11 of the Indian Medical Council Act, 1936 (102 of 1936), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, namely :—

In the said First Schedule against "Calicut University, Calicut" under the heading 'Recognized Medical Qualification' [in column (2)] and under the heading "Abbreviation for Registration" [in column (3)], the following shall be inserted, namely :—

| 2 | 3 |
|--|---|
| Bachelor of Medicine and Bachelor of Surgery | M.B.B.S. (This shall be a recognized medical qualification when granted by Calicut University, Calicut on or after November, 2008 in respect of students being trained at Ambala Institute of Medical Sciences, Thrissur, Kerala). |

[F.No. U. 12012/113/2002-ME(P-II)]

N. BARIK, Under Secy.

नई दिल्ली, 29 मई, 2009

क्र.सं. 1611.—केंद्रीय सरकार भारतीय आयुर्विज्ञान परिषद् से परामर्श करते हुए भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1936 (1936 का 102) की धारा 11 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम की प्रथम अनुसूची में निम्नलिखित और संशोधन करती है, अर्थात् :—

उक्त प्रथम अनुसूची में "कालीकट चिकित्साविद्यालय एवं सर्वोच्च, कालीकट", और उसके संबंधित प्रविष्टि में "कृष्ण एम्बेला चिकित्सा संशोधन चिकित्साविद्यालय, कालीकट, त्रिपुर, केरल" जोड़ा जायेंगे तथा "मान्यता प्राप्त चिकित्सा अर्थात्" [इसके अन्तर्गत (2) के रूप में उल्लिखित] शीर्षक के अंतर्गत तथा "सर्वोच्च चिकित्सा के लिए संशोधन" [इसके अन्तर्गत (3) के रूप में उल्लिखित] शीर्षक के अंतर्गत "कृष्ण एम्बेला चिकित्सा संशोधन चिकित्साविद्यालय, कालीकट, त्रिपुर, केरल" के सामने निम्नलिखित शीर्षक जोड़े जायेंगे, अर्थात् :—

| 2 | 3 |
|---|---|
| संवेदनहरण में डिप्लोमा | डी.ए. (संवेदनहरण) (जब अम्बेला उसके बाद प्रदान किया गया हो) |
| जल स्वास्थ्य में डिप्लोमा | डी.सी.एच. (जब मई, 2008 को अथवा उसके बाद प्रदान किया गया हो) |
| प्रसूति-विज्ञान एवं स्त्री रोग विज्ञान में डिप्लोमा | डी.जी.ओ. (जब मई, 2008 को अथवा उसके बाद प्रदान किया गया हो) |
| निकलाना विद्या में डिप्लोमा | डी.जी.ओ. (जब अक्टूबर, 1993 को अथवा उसके बाद प्रदान किया गया हो) |
| रेडियो-डायग्नोस्टिक में डिप्लोमा | डी.एच.आर.डी. (जब अप्रैल, 1994 को अथवा उसके बाद प्रदान किया गया हो) |
| डाक्टर आफ मेडिसिन (संवेदनहरण विज्ञान) | एम.डी. (संवेदनहरण) (जब मई, 2009 को अथवा उसके बाद प्रदान किया गया हो) |
| डाक्टर आफ मेडिसिन (जनरल मेडिसिन) | एम.डी. (जनरल मेडिसिन) (जब मई, 2009 को अथवा उसके बाद प्रदान किया गया हो) |
| डाक्टर आफ मेडिसिन (सूक्ष्म जीव विज्ञान) | ए.र.डी. (सूक्ष्म जीव विज्ञान) (जब मई, 2009 को अथवा उसके बाद प्रदान किया गया हो) |
| डाक्टर आफ मेडिसिन (रेडियो डायग्नोस्टिक/रेडियोलॉजी) | ए.डी. (आर.डी.) (जब अप्रैल, 1994 को अथवा उसके बाद प्रदान किया गया हो) |

| 2 | 3 |
|---|--|
| डाक्टर आफ मेडिसिन (समाजिक एवं निवारक मेडिसिन/सामुदायिक मेडिसिन) | एम.डी. (एस.पी.एम/सामुदायिक मेडि.) (जब दिसम्बर, 1993 को अथवा उसके बाद प्रदान किया गया हो) |
| मास्टर आफ सर्जरी (शरीर रचना विज्ञान) | एम.एस. (शरीर रचना विज्ञान) (जब मई, 2009 को अथवा उसके बाद प्रदान किया गया हो) |
| मास्टर आफ सर्जरी (प्रसूति विज्ञान एवं स्त्री रोग विज्ञान) | एम.एस. (प्रसूति विज्ञान एवं स्त्री रोग विज्ञान) (जब मई, 2009 को अथवा उसके बाद प्रदान किया गया हो) |
| मास्टर आफ सर्जरी (जनरल सर्जरी) | एम.एस. (जनरल सर्जरी) (जब मई, 2009 को अथवा उसके बाद प्रदान किया गया हो) |
| मास्टर आफ सर्जरी (विकलांग विद्या) | एम.एस. (आर्थो) (जब अक्टूबर, 1993 को अथवा उसके बाद प्रदान किया गया हो) |

[फा. सं. यू. 12012/907/2008-एम ई (नीति-II)]

एन. बारिक, अवर सचिव

New Delhi, the 29th May, 2009

S.O. 1611.—In exercise of the powers conferred by sub-section (2) of the section 11 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, namely :—

In the said First Schedule after “College of Physicians and Surgeons, Bombay” and entries relating thereto “Krishna Institute of Medical Sciences University, Karad, Maharashtra” shall be added and against “Krishna Institute of Medical Sciences Karad, Maharashtra” under the heading ‘Recognized Medical Qualification’ [hereinafter referred to as column (2)], and under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted namely :—

| Recognized Medical Qualification | Abbreviation for Registration |
|----------------------------------|--|
| (2) | (3) |
| Diploma in Anesthesia | D.A. (when granted on or after May 2008) |
| Diploma in Child Health | D.C.H. (when granted on or after May 2008) |

| (2) | (3) |
|--|---|
| Diploma in Obstetrics & Gynaecology | D.G.O. (when granted on or after May 2008) |
| Diploma in Orthopaedics | D.Ortho (when granted on or after October 1993) |
| Diploma in Radio-Diagnosis | D.M.R.D. (when granted on or after April 1994) |
| Doctor of Medicine (Anaesthesiology) | M.D. (Anaesth) (when granted on or after May 2009) |
| Doctor of Medicine (General Medicine) | M.D. (Gen. Med.) (when granted on or after May 2009) |
| Doctor of Medicine (Microbiology) | M.D. (Mic. Bio.) (when granted on or after May 2009) |
| Doctor of Medicine (Radio Diagnosis/ Radiology) | M.D. (R.D.) (when granted on or after April 1994) |
| Doctor of Medicine (Social & Preventive Medicine/Community Medicine) | M.D. (S.P.M./Comm. Med.) (when granted on or after Dec. 1993) |
| Master of Surgery (Anatomy) | M.S. (Anat.) (when granted on or after May 2009) |
| Master of Surgery (Obstetrics & Gynaecology) | M.S. (Obst. & Gynae) (when granted on or after May 2009) |
| Master of Surgery (General Surgery) | M.S. (Gen. Surg.) (when granted on or after May 2009) |
| Master of Surgery (Orthopaedics) | M.S. (Ortho.) (when granted on or after Oct. 1993) |

[F. No. U. 12012/907/2008-ME(P-II)]

N. BARIK, Under Secy.

नई दिल्ली, 29 मई, 2009

का.आ. 1612.—भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 11 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार भारतीय आयुर्विज्ञान परिषद् से परामर्श करने के पश्चात् उक्त अधिनियम की प्रथम अनुसूची में एतद्द्वारा निम्नलिखित और संशोधन करती है, अर्थात् :—

उक्त प्रथम अनुसूची में शीर्षक “मान्यता प्राप्त चिकित्सा अर्हता” [स्तम्भ (2) में] के अंतर्गत “पश्चिम बंगाल स्वास्थ्य विज्ञान विश्वविद्यालय, कोलकाता” और शीर्षक “पंजीकरण के लिए संक्षेपण” [स्तम्भ (3) में] के अंतर्गत निम्नलिखित प्रविष्टियां शामिल की जाएंगी अर्थात् :—

| 2 | 3 |
|---|--|
| आयुर्विज्ञान स्नातक और शल्य-विज्ञान स्नातक | एम.बी.बी.एस. (यह एक मान्यता प्राप्त चिकित्सा अर्हता होगी यदि यह पश्चिम बंगाल स्वास्थ्य विज्ञान विश्वविद्यालय, |

3

कोलकाता द्वारा मिदनापुर मेडिकल कॉलेज, मिदनापुर, पश्चिम बंगाल में प्रशिक्षण प्राप्त कर रहे छात्रों के संबंध में फरवरी, 2009 में अथवा उसके उपरांत प्रदान की गई हो।

[सं. यू. 12012/85-ए/2002-एम ई (पी-II)]

एन. बारिक, अवर सचिव

New Delhi, the 29th May, 2009

S.O. 1612.—In exercise of the powers conferred by sub-section (2) of the Section 11 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, namely :—

In the said First Schedule against “West Bengal University of Health Sciences, Kolkata” under the heading “Recognized Medical Qualification” [in column (2)] and under the heading “Abbreviation for Registration” [in column (3)], the following shall be inserted namely:—

| (2) | (3) |
|---|--|
| Bachelor of Medicine and Bachelor of Surgery | M.B.B.S. (This shall be a recognized medical qualification when granted by West Bengal University of Health Sciences, Kolkata, West Bengal on or after February, 2009 in respect of students being trained at Midnapore Medical College, Midnapore, West Bengal). |

[No. U. 12012/85-A/2002-ME(P-II)]

N. BARIK, Under Secy.

नई दिल्ली, 29 मई, 2009

क्र.आ. 1613.—भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 12 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार भारतीय आयुर्विज्ञान परिषद् से परामर्श करने के पश्चात् उक्त अधिनियम की दूसरी अनुसूची में एतद्वारा निम्नलिखित और संशोधन करती है, अर्थात् :—

उक्त अनुसूची में शीर्षक “नेपाल” के अंतर्गत, “बी.पी. कोइराला स्वास्थ्य विज्ञान संस्थान, धरन, नेपाल” के सामने विषयों के “शीर्षक” (इसके आगे स्तंभ (2) के रूप में संदर्भित), “डिप्लोमा में उल्लिखित योग्यताओं का स्वरूप” [इसके आगे स्तंभ (3) के

रूप में संदर्भित] और ‘संक्षेपण [इसके आगे स्तंभ (4) के रूप में संदर्भित] के अंतर्गत, अंतिम प्रविष्टि और उससे संबंधित प्रविष्टि के बाद निम्नलिखित को रखा जाएगा, अर्थात् :—

| (2) | (3) | (4) |
|------------------------------|---|--|
| एम एस (सामान्य शल्य-विज्ञान) | शल्यक्रिया निष्णात (सामान्य शल्य-विज्ञान) | बी पी के आई एच एस, धरन, नेपाल (यह मान्यता प्राप्त अर्हता होगी यदि यह बी.पी. कोइराला स्वास्थ्य विज्ञान, धरन, नेपाल में प्रशिक्षित किए जा रहे छात्रों के लिए बी.पी. कोइराला स्वास्थ्य विज्ञान, धरन, नेपाल (सम विश्वविद्यालय) द्वारा 2002 को या इसके बाद प्रदान की गई हो)। |

[सं. वी. 11015/1/2009-एम ई(पी-1)]

के. वी. एस. राव, उप सचिव

New Delhi, the 29th May, 2009

S.O. 1613.—In exercise of the powers conferred by sub-section (2) of the Section 12 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the Second Schedule to the said Act, namely :—

In the said Schedule under the heading “Nepal” against “B.P. Koirala Institute of Health Sciences, Dharan, Nepal”, under the headings “Title” [hereinafter referred to as column (2)], “Nature of qualifications as stated in diploma” [hereinafter referred to as column (3)] and “Abbreviation” [hereinafter referred to as column (4)]; after the last entry and entry relating thereto the following shall be inserted, namely :—

| (2) | (3) | (4) |
|-------------------------|--|--|
| “M.S.(General Surgery)” | “Masters of Surgery (General Surgery)” | B.P.K.I.H.S. Dharan, Nepal (This shall be a recognized qualification when granted by B.P. Koirala Institute of Health Sciences, Dharan, Nepal (Deemed University) in respect of students being trained at B. P. Koirala |

(4)

Institute of Health
Sciences, Dharan,
Nepal on or after 2002].

[No. V. 11015/1/2009-ME(P-I)]

K.V.S. RAO, Dy. Secy.

नई दिल्ली, 28 मई, 2009

का.आ. 1614.—भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 3 की उप-धारा (1)(क) के उपबंध के अनुसरण में डॉ. सुरेन्द्र कुमार सिन्हा को दिनांक 17-12-2002 से भारतीय आयुर्विज्ञान परिषद् के एक सदस्य के रूप में निर्वाचित किया गया था जो बिहार राज्य सरकार के निर्वाचन क्षेत्र का प्रतिनिधित्व करते हैं।

जबकि भारतीय आयुर्विज्ञान परिषद् ने सूचित किया है कि डॉ. सुरेन्द्र कुमार सिन्हा जो भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 की धारा 3(1)(ग) के उपबंध के अधीन बिहार राज्य सरकार के निर्वाचन क्षेत्र का प्रतिनिधित्व कर रहे हैं, ने अपनी अनुपस्थिति के बारे में कोई मौखिक/लिखित सूचना दिए बगैर दिनांक 16-11-2007, 15-3-2008 और 13-11-2008 को आयोजित परिषद् की लगातार 3 सामान्य निकाय बैठकों में भाग नहीं लिया था। अतः बिहार राज्य सरकार के निर्वाचन क्षेत्र का प्रतिनिधित्व करने वाले डॉ. सुरेन्द्र कुमार सिन्हा, की भारतीय आयुर्विज्ञान परिषद् की सदस्यता समाप्त हो गई है।

इसलिए, अब, उक्त अधिनियम की धारा 7 की उप-धारा (3) के उपबंध के अनुसरण में बिहार राज्य के निर्वाचन क्षेत्र का प्रतिनिधित्व करने वाले डॉक्टर सुरेन्द्र कुमार सिन्हा की बिहार राज्य सरकार की भारतीय आयुर्विज्ञान परिषद् की सदस्यता को इस अधिसूचना के जारी होने की तारीख से समाप्त हुआ समझा जाएगा।

[सं. वी-11013/6/2009-एमई (नीति-1)]

के. वी. एस. राव, उप सचिव

New Delhi, the 28th May, 2009

S.O. 1614.—Whereas in pursuance of the provision of sub-section (1) (a) of section 3 of the Indian Medical Act, 1956 (102 of 1956) Dr. Surendra Kumar Sinha was nominated as a member of the Medical Council of India in consultation with the State Government of Bihar with effect from 17-12-2002.

Whereas the Medical Council of India has informed that Dr. Surendra Kumar Sinha who is representing Government of Bihar under Section 3(1)(a) of IMC Act, 1956 had not participated in three consecutive General Body Meetings of the Council held on 16-11-2007, 15-3-2008 and 13-11-2008 without any verbal/written communication regarding his absence. Therefore, Dr. Surendra Kumar Sinha has ceased to be a member of Medical Council of India representing Government of Bihar.

Now, therefore, in pursuance of the provision of sub-section (3) of Section 7 of the said Act, Dr. Surendra Kumar Sinha shall be deemed to have ceased to be a member of the Medical Council of India representing Government of Bihar with effect from the date of issue of this notification.

[No. V-11013/6/2009-ME(Policy-I)]

K.V.S. RAO, Dy. Secy.

नई दिल्ली, 28 मई, 2009

का.आ. 1615.—भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 3 की उप-धारा (1)(क) के उपबंध के अनुसरण में प्रो. एस.सी. महापात्रा को दिनांक 2-9-2004 से भारतीय आयुर्विज्ञान परिषद् के एक सदस्य के रूप में निर्वाचित किया गया था जो सांबलपुर विश्वविद्यालय के निर्वाचन क्षेत्र का प्रतिनिधित्व करते हैं।

जबकि भारतीय आयुर्विज्ञान परिषद् ने सूचित किया है कि प्रो. एस.सी. महापात्रा जो भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 की धारा 3(1)(ग) के उपबंध के अधीन सांबलपुर विश्वविद्यालय के निर्वाचन क्षेत्र का प्रतिनिधित्व कर रहे हैं, ने अपनी अनुपस्थिति के बारे में कोई मौखिक/लिखित सूचना दिए बगैर दिनांक 10-3-2007, 16-11-2007 और 15-3-2008 को आयोजित परिषद् की लगातार 3 सामान्य निकाय बैठकों में भाग नहीं लिया था। अतः सांबलपुर विश्वविद्यालय के निर्वाचन क्षेत्र का प्रतिनिधित्व करने वाले प्रो. एस. सी. महापात्रा, की भारतीय आयुर्विज्ञान परिषद् की सदस्यता समाप्त हो गई है।

इसलिए, अब, उक्त अधिनियम की धारा 7 की उप-धारा (3) के उपबंध के अनुसरण में सांबलपुर विश्वविद्यालय के निर्वाचन क्षेत्र का प्रतिनिधित्व करने वाले प्रो. एस.सी. महापात्रा की भारतीय आयुर्विज्ञान परिषद् की सदस्यता को इस अधिसूचना के जारी होने की तारीख से समाप्त हुआ समझा जाएगा।

[सं. वी-11013/4/2009-एमई (नीति-1)]

के. वी. एस. राव, उप सचिव

New Delhi, the 28th May, 2009

S.O. 1615.—Whereas in pursuance of the provision of sub-section (1) (a) of section 3 of the Indian Medical Act, 1956 (102 of 1956) Prof. S.C. Mohapatra was nominated as a member of the Medical Council of India representing Sambalpur University with effect from 2-9-2004.

Whereas the Medical Council of India has informed that Prof. S.C. Mohapatra who is representing Sambalpur University under Section 3(1)(a) of IMC Act, 1956 had not participated in three consecutive General Body Meetings of the Council held on 10-3-2007, 16-11-2007 and 15-3-2008 without any verbal/written communication regarding his absence. Therefore, Prof. S. C. Mohapatra has ceased to be a member of Medical Council of India representing Sambalpur University.

Now, therefore, in pursuance of the provision of

sub-section (3) of Section 7 of the said Act, Prof. S.C. Mohapatra shall be deemed to have ceased to be a member of the Medical Council of India representing Sambalpur University with effect from the date of issue of this notification.

[No. V-11013/4/2009-ME(P-I)]
K. V. S. RAO, Dy. Secy.

नई दिल्ली, 28 मई, 2009

क्र.आ. 1616.—भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 3 की उप-धारा (1)(ग) के उपबंध के अनुसरण में डॉ. राजसेखर रेड्डी थंदूरु को दिनांक 6-10-2004 से भारतीय आयुर्विज्ञान परिषद् के एक सदस्य के रूप में निर्वाचित किया गया था जो आन्ध्र प्रदेश के आर.एम.जी. निर्वाचन क्षेत्र का प्रतिनिधित्व करते हैं।

जबकि भारतीय आयुर्विज्ञान परिषद् ने सूचित किया है कि डॉ. राजसेखर रेड्डी थंदूरु जो भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 की धारा 3(1)(ग) के उपबंध के अधीन आन्ध्र प्रदेश के आर.एम.जी. निर्वाचन क्षेत्र का प्रतिनिधित्व कर रहे हैं, ने अपनी अनुपस्थिति के बारे में कोई मौखिक/लिखित सूचना दिए बगैर दिनांक 10-3-2007, 16-11-2007 और 15-3-2008 को आयोजित परिषद् की लगातार 3 सामान्य निकाय बैठकों में भाग नहीं लिया था। अतः आन्ध्र प्रदेश के आर.एम.जी. निर्वाचन क्षेत्र का प्रतिनिधित्व करने वाले डॉ. राजसेखर रेड्डी थंदूरु, की भारतीय आयुर्विज्ञान परिषद् की सदस्यता समाप्त हो गई है।

इसलिए, अब, उक्त अधिनियम की धारा 7 की उप-धारा (3) के उपबंध के अनुसरण में आन्ध्र प्रदेश के आर.एम.जी. निर्वाचन क्षेत्र का प्रतिनिधित्व करने वाले डॉ. राजसेखर रेड्डी थंदूरु की भारतीय आयुर्विज्ञान परिषद् की सदस्यता को इस अधिसूचना के जारी होने की तारीख से समाप्त हुआ समझा जाएगा।

[सं. वी-11013/5/2009-एमई (नीति-1)]

के. वी. एस. राव, उप सचिव

New Delhi, the 28th May, 2009

S.O. 1616.—Whereas in pursuance of the provision of sub-section (1) (c) of Section 3 of the Indian Medical Act, 1956 (102 of 1956) Dr. Rajasekhara Reddy Thanduru was elected as a member of the Medical Council of India representing RMG Constituency of Andhra Pradesh with effect from 6-10-2004.

Whereas the Medical Council of India has informed that Dr. Rajasekhara Reddy Thanduru who is representing RMG Constituency of Andhra Pradesh under Section 3(1)(c) of IMC Act, 1956 had not participated in three consecutive General Body Meetings of the Council held on 10-3-2007, 16-11-2007 and 15-3-2008 without any verbal/written communication regarding his absence. Therefore, Dr. Rajasekhara Reddy Thanduru has ceased to be a member of Medical Council of India representing RMG

Constituency of Andhra Pradesh.

Now, therefore, in pursuance of the provision of sub-section (3) of Section 7 of the said Act, Dr. Rajasekhara Reddy Thanduru shall be deemed to have ceased to be a member of the Medical Council of India representing RMG Constituency of Andhra Pradesh with effect from the date of issue of this notification.

[No. V-11013/5/2009-ME(P-I)]
K.V.S. RAO, Dy. Secy.

विदेश मंत्रालय
(सीपीवी प्रभाग)

नई दिल्ली, 27 मई, 2009

क्र.आ. 1617.—राजनयिक और कौंसलीय ऑफिसर (शपथ और फीस) के अधिनियम, 1948 की धारा 2 के खण्ड (क) के अनुसरण में, केन्द्र सरकार एतद्वारा श्री नवल प्रभाकर तप्लियाल उच्च ग्रेणि लिपिक को 27-5-2009 से भारत के राजदूतावास, खार्तूम (सुडान) में सहायक कौंसुलर अधिकारी के कर्तव्यों का पालन करने के लिए प्राधिकृत करती है।

[सं. टी 4330/1/2006]

आर. के. पेरिन्डिया, अवर सचिव (कौंसुलर)

MINISTRY OF EXTERNAL AFFAIRS

(CPV Division)

New Delhi, the 27th May, 2009

S.O. 1617.—In pursuance of the clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948, the Central Government hereby authorize Shri Naval Prabhakar Thapliyal, UDC to perform the duties of Assistant Consular Officer in the Embassy of India, Khartoum with effect from 17th May, 2009.

[No. T. 4330/1/2006]

R. K. PERINDIA, Under Secy. (Consular)

नई दिल्ली, 27 मई, 2009

क्र.आ. 1618.—राजनयिक और कौंसलीय ऑफिसर (शपथ और फीस) के अधिनियम, 1948 की धारा 2 के खण्ड (क) के अनुसरण में, केन्द्र सरकार एतद्वारा श्री आर. बी. लाल, सहायक को 27-5-2009 से भारत के प्रधान कौंसलावास ह्यूस्टन (यूएसए) में सहायक कौंसुलर अधिकारी के कर्तव्यों का पालन करने के लिए प्राधिकृत करती है।

[सं. टी 4330/1/2006]

आर. के. पेरिन्डिया, अवर सचिव (कौंसुलर)

New Delhi, the 27th May, 2009

S.O. 1618.—In pursuance of the clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948, the Central Government hereby authorize Shri R. B. Lal, Assistant to perform the duties of Assistant Consular Officer in the Consulate General of India, Houston U.S.A. with effect from 27th May, 2009.

[No. T. 4330/1/2006]

R. K. PERINDIA, Under Secy. (Consular)

उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

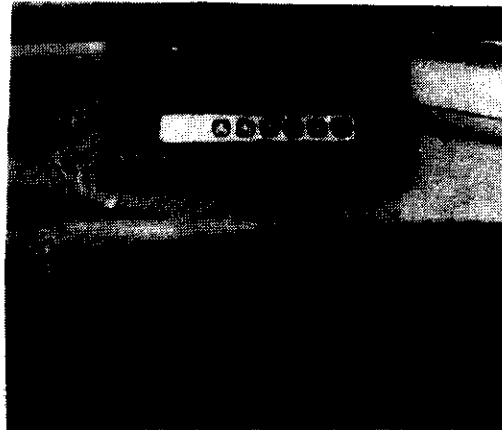
(उपभोक्ता मामले विभाग)

नई दिल्ली, 20 अप्रैल, 2009

का.आ. 1619.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स पायनियर स्केल इंडस्ट्रीज, 89, धुलेश्वर गार्डन, सी-स्कीम, जयपुर-302001 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "WINW-6" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (वेब्रिज टाइप) के मॉडल का, जिसके ब्रांड का नाम "WINTEX" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/09/41 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 60 टन और न्यूनतम क्षमता 200 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 10 कि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 सीलिंग प्रावधान

स्केल की निचली प्लेट और उपरी कवर में किए गए छेद के माध्यम से सीलिंग की जा सकती है और तब सीलिंग तार को इन दो छेदों में से निकाला जाता है। स्टाम्पिंग के लिए लीड सील के साथ स्केल की बाड़ी से तार निकालकर स्टाम्पिंग प्लेट से जोड़ा जाता है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से अधिक और 200 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (20)/2009]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION

(Department of Consumer Affairs)

New Delhi, the 20th April, 2009

S.O. 1619.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Weighbridge) with digital indication of medium accuracy (Accuracy class-III) of Series "WINW-6" and with brand name "WINTEX" (hereinafter referred to as the said model), manufactured by M/s. Pioneer Scale Industries, 89 Dhuleshwar Garden, C-Scheme, Jaipur-302 001 and which is assigned the approval mark IND/09/09/41;

The said model is a strain gauge type load cell based non-automatic weighing instrument with a maximum capacity of 60 tonnes and minimum capacity of 200kg. The verification scale interval (e) is 10kg. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing results. The instrument operates on 230V, 50Hz alternative current power supply.

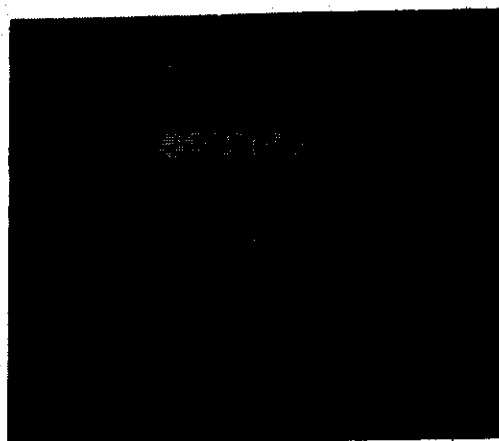


Fig. 2 Sealing arrangement

The sealing is done through the hole, made in the bottom plate and top cover of the scale, and then sealing wire is passed through these two holes. Stamping plate is connected through sealing wire passing from the body of scale with the lead seal, to get the stamping.

The instrument has external access to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5 tonnes and upto 200 tonnes with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^4 , 2×10^4 or 5×10^4 , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (20)/2009]

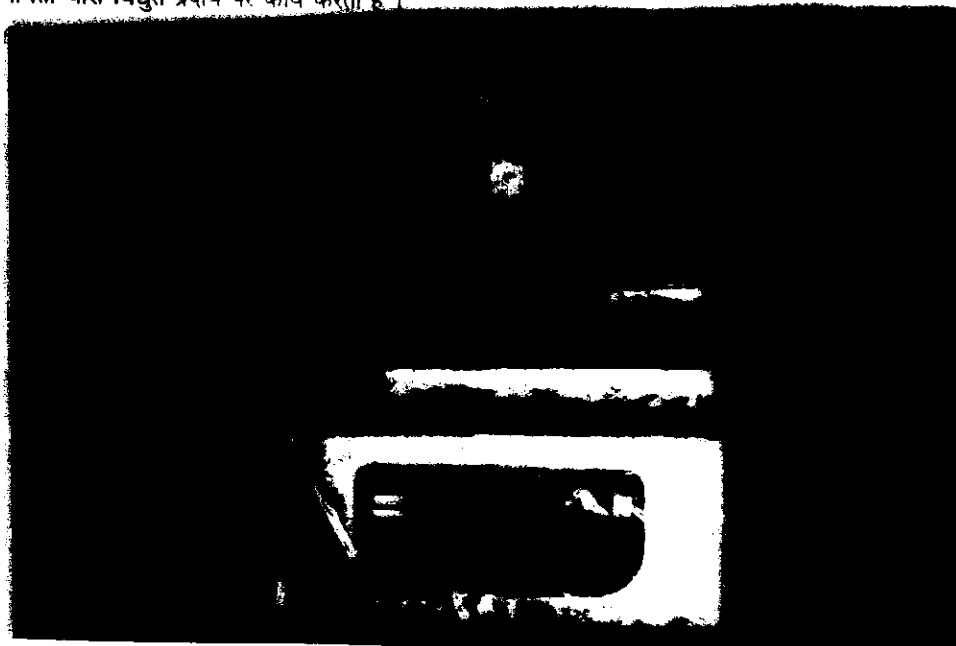
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 20 अप्रैल, 2009

का.आ. 1620.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह संभावना हो गयी है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स एक्ज्यूटे वेइंग सिस्टम, 67, सिकंदर स्ट्रीट, कोलकाता-110004 (पश्चिम बंगाल) द्वारा विनिर्मित मध्यम यन्त्रावली (यन्त्रावली वर्ग III) वाले "ए डब्ल्यू पी" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "एक्ज्यूटे" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन बिह आई एन डी/09/09/51 सम्बुद्धित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) है। इसकी अधिकतम क्षमता 200 कि.ग्रा. और न्यूनतम क्षमता 400 ग्रा. है। सत्यापन मापमान अंतराल (ई) 20 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

कपटपूर्ण व्यवहारों को रोकने के लिए स्टाम्पिंग प्लेट पर सर्किट की सुरक्षा और मैकेनिकल असेम्बली के लिए सील सील लगाई जाती है। उपकरण की बाडी पर दिए गए छेदों के जरिए लीड और सील तार लगाकर सीलिंग की जा सकती है। सील से छेड़छाड़ किए बिना उपकरण को खोला नहीं जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 3 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. से 5000 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (01)/2009]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 20th April, 2009

S.O. 1628.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (Accuracy class-III) of Series "AWP" and with brand name "ACCURATE" (hereinafter referred to as the said model), manufactured by M/s. Accurate Weighing Systems, 67, Sidhas Street, Kolkata-710004 (WB) and which is assigned the approval mark IND/09/09/51;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform Type) with a maximum capacity of 250 kg and minimum capacity of 400 g. The verification scale interval (e) is 20g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

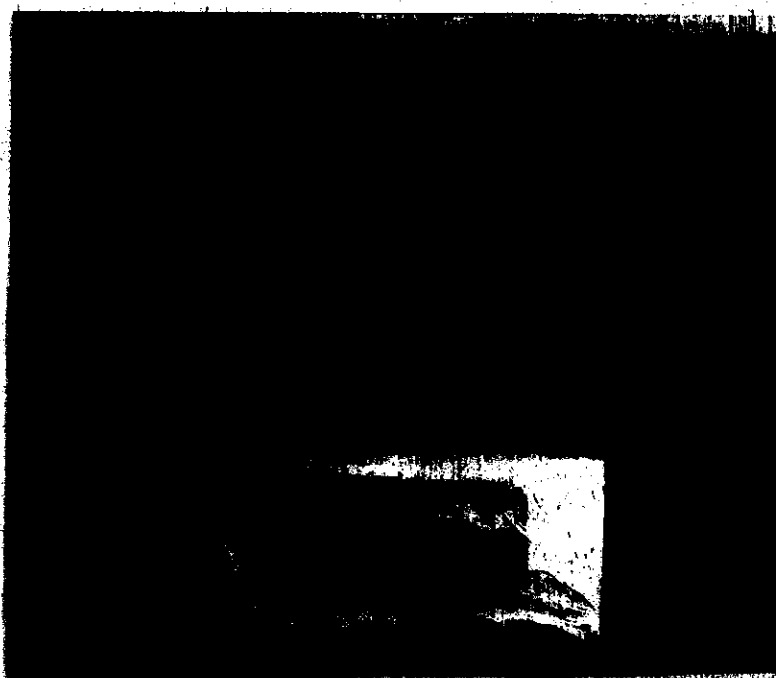


Figure-2 Sealing provision of the indicator of model

Lead seal is affixed on the stamping plate which is attached in the back side of the indicator for the security of circuit and mechanical assembly to avoid fraudulent use. Sealing can be done by applying lead and seal wire through the holes provided on the body of the instrument. The instrument can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external access to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg upto 5 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (01)/2009]

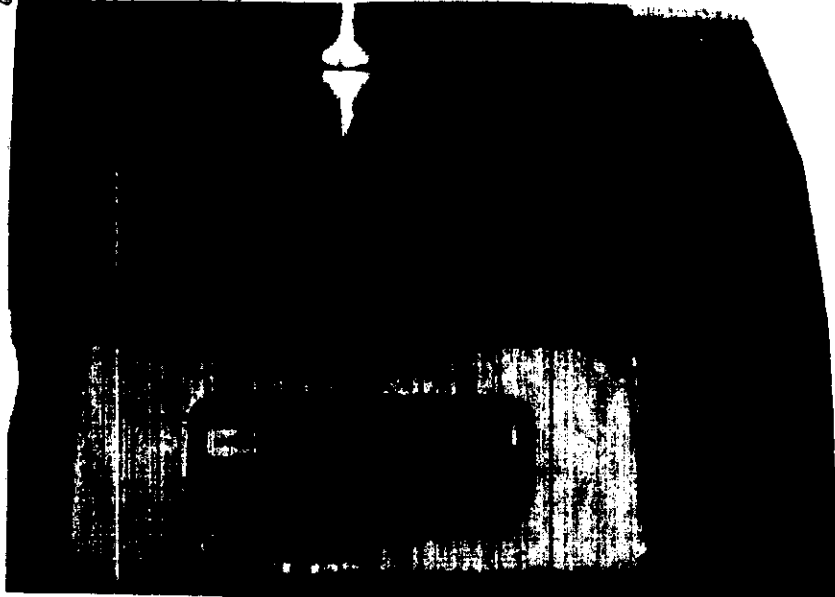
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 20 अप्रैल, 2009

का.आ. 1621.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स एक्यूरेट वेइंग सिस्टम्स, 67, सिकंदर स्ट्रीट, कोलकाता-700 004 (पश्चिम बंगाल) द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले "ए डब्ल्यू टी" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबल टाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "एक्यूरेट" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/52 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबल टाप प्रकार) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

कपटपूर्ण व्यवहार को रोकने के लिए स्टाम्पिंग प्लेट पर सर्किट की सुरक्षा और मैकेनिकल असेम्बली के लिए लीड सील लगाई जाती है। उपकरण की बाड़ी पर दिए गए छेदों के जरिए लीड और सील तार लगाकर सीलिंग की जा सकती है। सील से छेड़छाड़ किए बिना उपकरण को खोला नहीं जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. से 50 मि. ग्रा. तक के "ई" मान के लिए 100 से 50,000 तक रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5,000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (01)/2009]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 20th April, 2009

S.O. 1621.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of High accuracy (Accuracy class-III) of Series "AWT" and with brand name "ACCURATE" (hereinafter referred to as the said model), manufactured by M/s. Accurate Weighing Systems, 67, Sikdar Street, Kolkata-700 004 (WB) which is assigned the approval mark IND/09/09/52;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 30kg and minimum capacity of 100 g. The verification scale interval (e) is 2g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

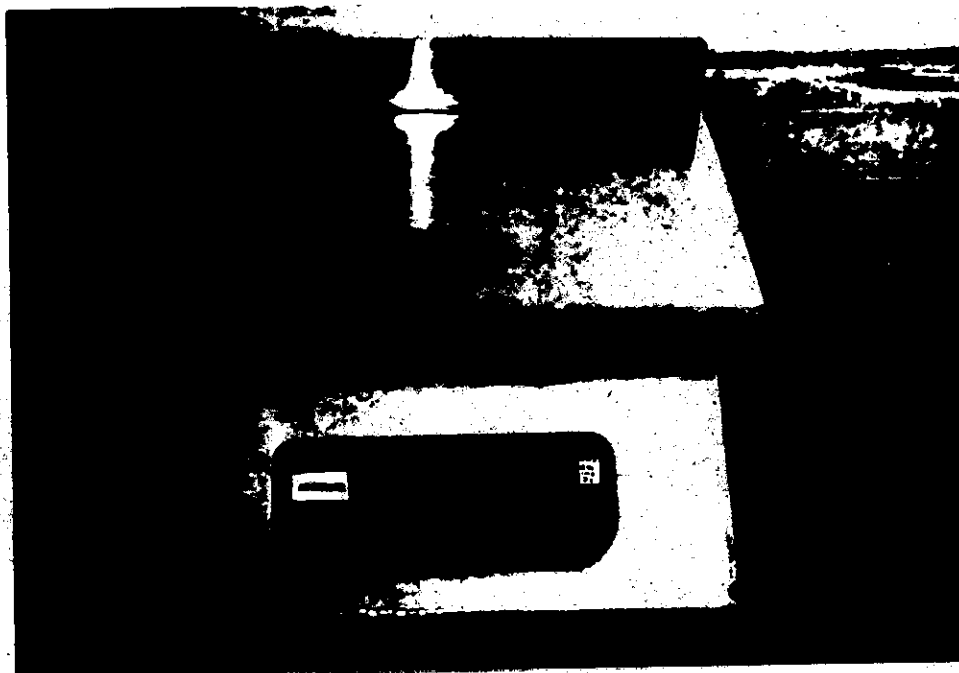


Figure-2 Schematic diagram of sealing provision of the model.

Lead seal is affixed on the stamping plate which is attached in the back side of the indicator for the security of circuit and mechanical assembly to avoid fraudulent use. Sealing can be done by applying lead and seal wire through the holes provided on the body of the instrument. The instrument can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external access to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg with verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1mg to 50mg and with verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (01)/2009]

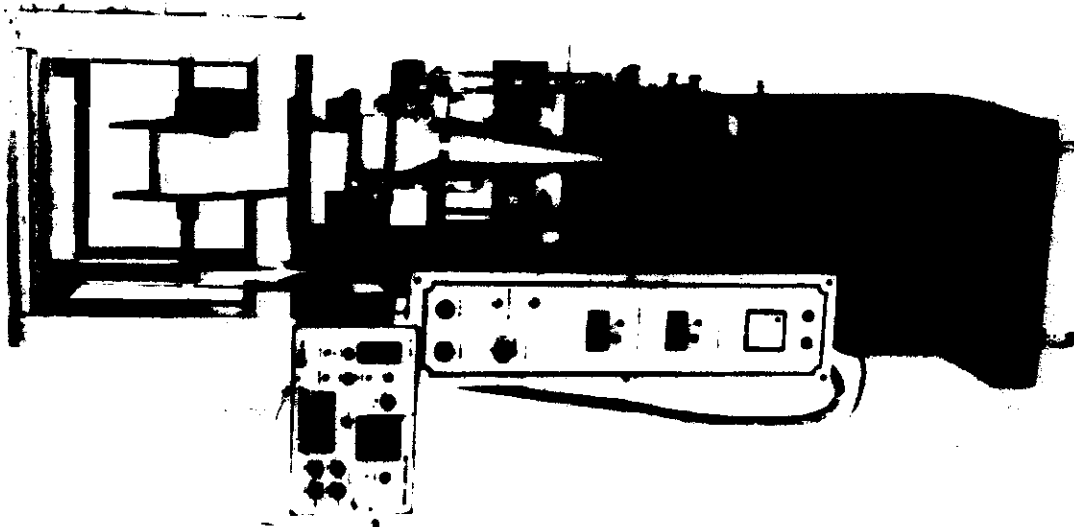
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 20 अप्रैल, 2009

का.आ. 1622.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह सम्बन्धन हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स ओसाव इंडस्ट्रियल प्रोडक्ट्स प्रा. लि. अमर बिल्डिंग, रेलवे क्रॉसिंग के पास, एनएच-22, चंबाघाट, जिला-सोलन, हिमाचल प्रदेश द्वारा विनिर्मित यथार्थता वर्ग, रेफ X(1) वाले "IND/AFFSM" शृंखला के स्वचालित ग्रेविमेट्रिक फिलिंग उपकरण के मॉडल का, जिसके ब्रांड का नाम "INDOSAW" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/609 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित स्वचालित ग्रेविमेट्रिक फिलिंग उपकरण है। इसकी अधिकतम क्षमता 500 ग्रा. और न्यूनतम क्षमता 2 ग्रा. है। मापमान अंतराल "डी" 0.1 ग्रा. है। इसकी भरण क्षमता की रेंज 100 ग्रा. से 500 ग्रा. तक है और स्पीड रेंज 4 से 6 पैकस प्रति मिनट है। उपकरण में एक फिलिंग प्वाइंट है। मशीन को उर्ध्वक, बैग या कंटेनर में चीनी, डम्स में आक्ल या कैमिकल आदि जैसे फ्री फ्लोइंग सालिड मैट्रियल को फिलिंग करने के लिए डिजाइन किया गया है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम प्रदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विधुत प्रदाय पर कार्य करता है।



आकृति-2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

उपकरण की सिलिंग के लिए दो सीलें लगाई जाती हैं, एक आंशिक रूप से स्टाम्पिंग प्लेट पर लगाई जाती है और दूसरी सील इंडीकेटर के कवर पर पतले तार पर लगाई जाती है। सील तोड़े बिना इंडीकेटर और स्टाम्पिंग प्लेट को खोला नहीं जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 ग्रा. से 5 कि. ग्रा. तक की रेंज में है।

[फा. सं. डब्ल्यूएम-21 (247)/2008]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 20th April, 2009

S.O. 1622.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of Automatic Gravimetric Filling Instrument belonging to Accuracy Class, X(1) of 'IND/AFFSM' series with brand "INDOSAW" (hereinafter referred to as the said model), manufactured by M/s. OSAW Industrial Products Pvt. Ltd., Amar Building, Near Railway Crossing, NH-22, Chamba, Distt. Solan (HP) and which is assigned the approval mark IND/09/08/609;

The said model is a strain gauge type load cell based Automatic Gravimetric Filling Instrument. Its maximum capacity is 500g. and minimum capacity is 2 g. The value of scale interval is 'd' 0.1g. Its filling capacity range 100g. to 500g. and speed range is 4 to 6 packs per minute. The instrument has one filling point. The machine is designed for filling the free flowing solid material like fertilizer or sugar in the bag or container and for filling of oil or chemicals in drums etc. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

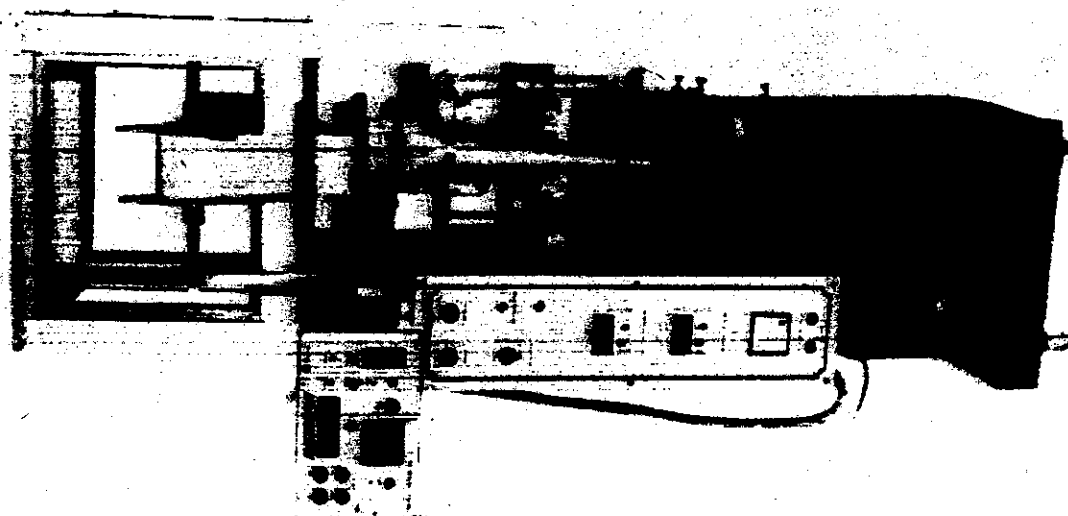


Figure-2 Sealing diagram of the sealing provision of the model.

Two seals are used for sealing the instrument, one seal is fixed partially on the stamping plate, and the another seal is applied on the thin wire fixed to cover the indicator. The indicator and the stamping plate can not be opened without breaking the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with capacity range from 1g. to 5kg. manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (247)/2008]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 20 अप्रैल, 2009

का.आ. 1623.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स सोहिल इंटरप्राइज, बी-70/59, डीएसआईडीसी कम्पलैक्स, लारेंस रोड इंडस्ट्रीयल एरिया, दिल्ली 110035 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "WOCP-3" श्रृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (इलेक्ट्रॉनिक कॉयन आपरेटिड व्यक्ति तोलन मशीन) के मॉडल का, जिसके ब्रांड का नाम "WOODS" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/356 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (इलेक्ट्रॉनिक कॉयन आपरेटिड व्यक्ति तोलन मशीन) है। इसकी अधिकतम क्षमता 200 कि.ग्रा. और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



AS161

आकृति-2 सीलिंग प्रसवधान

स्केल की निचली प्लेट और ऊपर के कवर में किए गए छेदों के जरिए सीलिंग की जाती है और तब इन दोनों छेदों में से सीलिंग तार निकाली जाती है। स्ट्याम्पिंग के लिए स्केल की बाड़ी से निकलती हुई सीलिंग तार के जरिए स्ट्याम्पिंग प्लेट को लीड सील से जोड़ा जाता है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 100 कि.ग्रा. से अधिक और 200 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (269)/2008]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 20th April, 2009

S.O. 1623.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Electronic Coin Operated Person Weighing Machine) with digital indication of medium accuracy (Accuracy class-III) of Series "WOCP-3" and with brand name "WOODS" (hereinafter referred to as the said model), manufactured by M/s. Sohil Enterprises, B-70/59, D.S.I.D.C. Complex, Lowrence Road Industrial Area, Delhi-110035 and which is assigned the approval mark IND/09/08/356;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Electronic Coin Operated Person Weighing Machine) with a maximum capacity of 200kg and minimum capacity of 2 kg. The verification scale interval (e) is 100g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.



A5161

Figure-2 Sealing diagram of the sealing provision of the model

Sealing can be done by making holes in the studs welded inside the top cover of the indicator of the instruments, then a seal wire is passed through these studs and a lead seal is applied. The instrument can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity in the range of 100 kg to 200 kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (269)/2008]

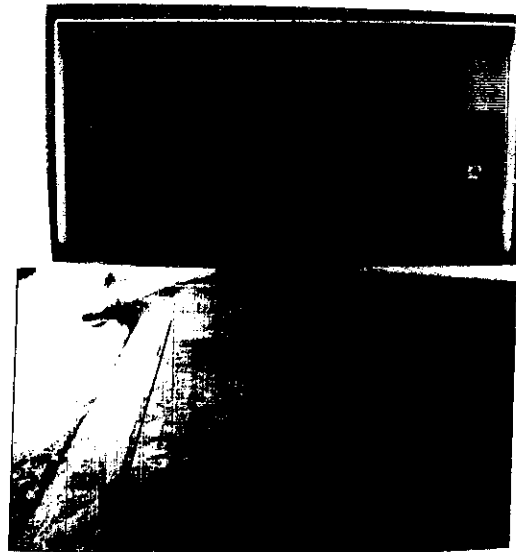
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 20 अप्रैल, 2009

का.आ. 1624.—केन्द्रीय सरकार का, विहित अधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा:

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स सोहिल इंटरप्राइज, बी-70/59, डीएसआईडीसी कॉम्प्लेक्स, लार्स रोड इंडस्ट्रीयल एरिया, दिल्ली 110035 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "WOWB-4" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (वेब्रिज प्रकार) के मॉडल का, जिसके ब्रांड का नाम "WOODS" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/357 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (वेब्रिज प्रकार) है। इसकी अधिकतम क्षमता 30 टन और न्यूनतम क्षमता 100 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 कि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 सीलिंग प्रावधान

स्केल की निचली प्लेट और ऊपर के कवर में किए गए छेदों के जरिए सीलिंग की जाती है और तब इन दोनों छेदों में से सीलिंग तार निकाली जाती है। स्टाम्पिंग के लिए स्केल की बाडी से निकलती हुई सीलिंग तार के जरिए स्टाम्पिंग प्लेट को लीड सील से जोड़ा जाता है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से अधिक और 100 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 , 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (269)/2008]

आर. माधुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 20th April, 2009

S.O. 1624.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Weighbridge Type) with digital indication of medium accuracy (Accuracy class-III) of Series "WOWB-4" and with brand name "WOODS" (hereinafter referred to as the said model), manufactured by M/s. Sohil Enterprises, B-70/59, D.S.I.D.C. Complex, Lawrence Road Industrial Area, Delhi-110035 and which is assigned the approval mark IND/09/08/357;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Weighbridge Type) with a maximum capacity of 30 tonne and minimum capacity of 100 kg. The verification scale interval (e) is 5 kg. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

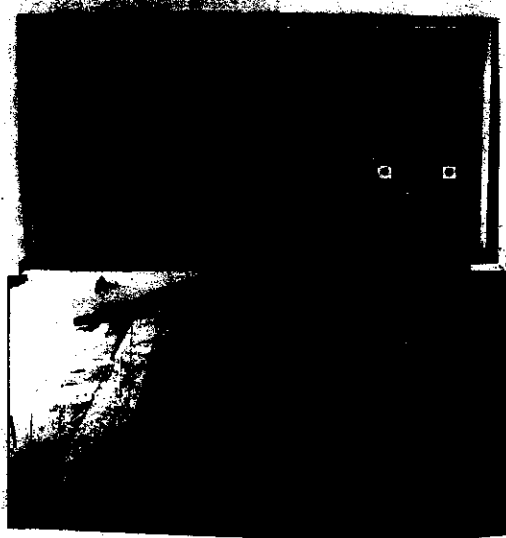


Figure-2 Sealing provision of the indicator of the model

The sealing is done through the hole, made in the bottom plate and top cover of the scale, and then sealing wire is passed through these two hole. Stamping plate is connected through sealing wire passing from the body of scale with the lead seal, to get the stamping. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and up to 100 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (269)/2008]

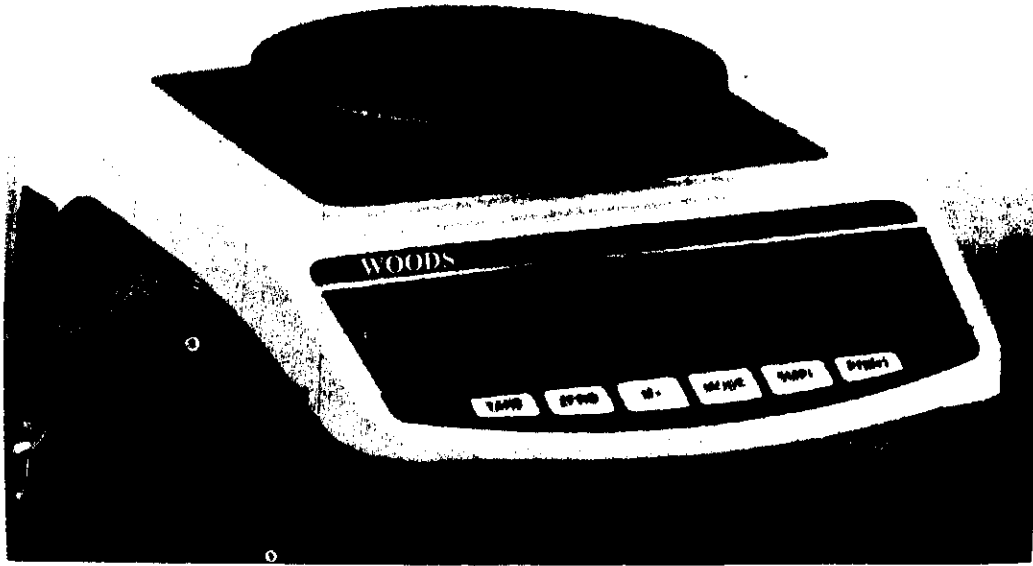
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 20 अप्रैल, 2009

का.आ. 1625.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स सोहिल इंटरप्राइज, बी-70/59, डीएसआईडीसी कम्प्लैक्स, लारेंस रोड इंडस्ट्रीयल एरिया, दिल्ली-110035 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "WOJ-3" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "WOODS" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/358 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) है। इसकी अधिकतम क्षमता 300 ग्रा. और न्यूनतम क्षमता 200 मि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 10 मि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 सीलिंग प्रावधान

स्केल की निचली प्लेट और ऊपर के कवर में किए गए छेदों के जरिए सीलिंग की जाती है और तब इन दोनों छेदों में से सीलिंग तार निकाली जाती है। स्टाम्पिंग के लिए स्केल की बाडी से निकलती हुई सीलिंग तार के जरिए स्टाम्पिंग प्लेट को लीड सील से जोड़ा जाता है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के "ई" मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-3} , 2×10^{-3} , 5×10^{-3} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (269)/2008]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 20th April, 2009

S.O. 1625.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Tabletop type) with digital indication of medium accuracy (Accuracy class-II) of Series "WOJ-3" and with brand name "WOODS" (hereinafter referred to as the said model), manufactured by M/s. Sohil Enterprises, B-70/59, D.S.I.D.C. Complex, Lawrence Road, Industrial Area, Delhi-110035 and which is assigned the approval mark IND/09/08/358.

The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 300g and minimum capacity of 200 mg. The verification scale interval (e) is 10mg. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

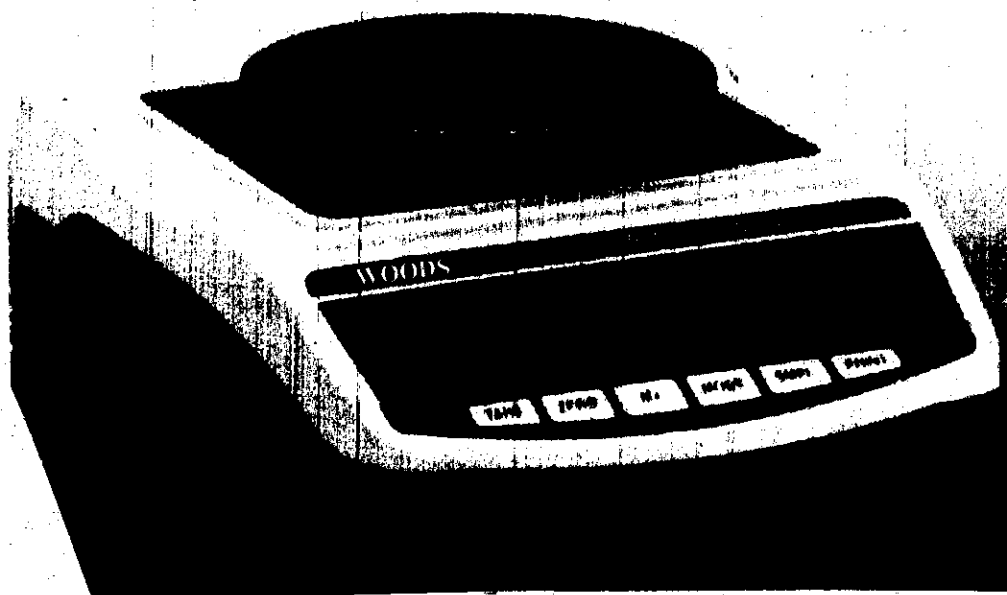


Figure-2 Schematic diagram of sealing provision of the model

The sealing is done through the hole, made in the bottom plate and top cover of the scale, and then sealing wire is passed through these two hole. Stamping plate is connected through sealing wire passing from the body of scale with the lead seal, to get the stamping. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg with verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1 mg to 50 mg and with verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (269)/2008]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 20 अप्रैल, 2009

का.आ. 1626.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स विश्वकर्मा स्केल्ज प्रा. लि., 166, नेहरू नगर, पोस्ट बॉक्स 31, रुड़की, जिला हरिद्वार (उत्तराखण्ड) द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "LWB" शृंखला के एनालॉग सूचन सहित, अस्वचालित तोलन उपकरण (वेब्रिज-स्टील यार्ड टाइप) के मॉडल का, जिसके ब्रांड का नाम "विश्वकर्मा" है (जिसे इसमें इसका पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/51 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एनालॉग सूचन सहित मैकेनिकल लीवर आधारित अस्वचालित तोलन उपकरण (वेब्रिज-स्टील यार्ड टाइप) है। इसकी अधिकतम क्षमता 50 टन और न्यूनतम क्षमता 100 कि.ग्रा. है और मध्यम यथार्थता वर्ग (यथार्थता वर्ग III) से संबंधित है। सत्यापन मापमान अंतराल (ई) 5 कि. ग्रा. है।



आकृति-2 (वेब्रिज)

मशीन को सील करने के अतिरिक्त स्टीलयार्ड के एक छोर पर लीड सील लगाई गई है जो स्टीलयार्ड की फोटो में दिखाई गई है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 कि.ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से 100 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 , 5×10^3 के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू.एम-21 (286)/2008]

आर. माथुरबुधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 20th April, 2009

S.O. 1626.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of model of non-automatic weighing instrument (Weighbridge-Steelyard type) with analogue indication (hereinafter referred to as the said model) belonging to medium accuracy class (Accuracy class-III) and "LWB" series with brand name "VISHWAKARMA", manufactured by M/s. Vishwakarma Sclaes Private Limited, 166 Nehru Nagar, Post Box-31, Roorkee, Distt. Haridwar (Uttarakhand) and which is assigned the approval mark IND/09/09/51;

The said model is a mechanical lever based non-automatic weighing instrument (Weighbridge -Steelyard type) with analogue indication of maximum capacity 50 tonne, minimum capacity 100 kg. and belonging to medium accuracy class (accuracy class-III). The value of verification scale interval (e) is 5kg.

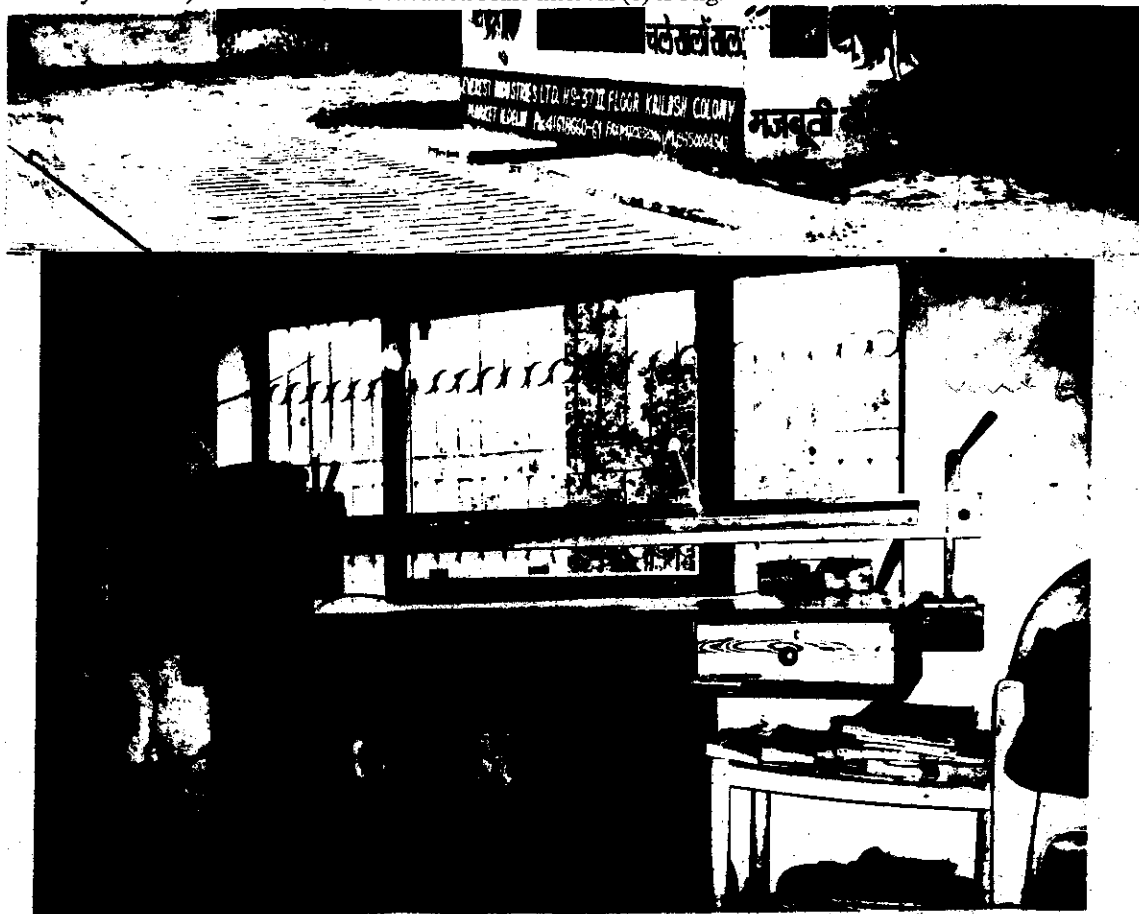


Figure-3 Sealing arrangement

In addition to sealing the machine lead seal is affixed on the steelyard at one end which is visible in the photograph of the steelyard.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and up to 100 tonne and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5kg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (286)/2008]

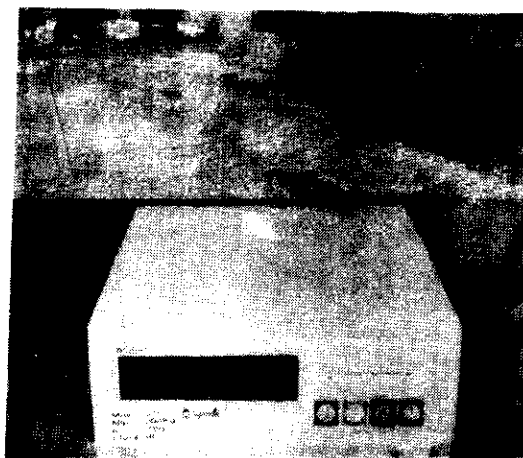
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 20 अप्रैल, 2009

का.आ. 1627.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स विश्वकर्मा स्केल्ज प्रा. लि., 166, नेहरू नगर, पोस्ट बाक्स 31, रुड़की, जिला हरिद्वार (उत्तराखण्ड) द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले “डीईडब्ल्यू बी” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (स्टैटिक इलेक्ट्रॉनिक रोड वेजिज) के मॉडल का, जिसके ब्रांड का नाम “विश्वकर्मा” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/52 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 60 टन और न्यूनतम क्षमता 200 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 10 कि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 सीलिंग प्रावधान

कपटपूर्ण व्यवहारों को रोकने के लिए स्टैम्पिंग प्लेट पर लीड सील लगाई जाती है। जो सर्किट को सुरक्षा और मैकेनिकल असेम्बली के लिए इंडिकेटर के पिछली तरफ से जुड़ा हुआ है। उपकरण की बाड़ी पर दिए गए छेदों के जरिए लीड और सील तार लगाकर सीलिंग की जाती है। उपकरण को सील के छेड़छाड़ किए बिना नहीं खोला जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से और 200 टन तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^3 , 2×10^3 , 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यूएम-21 (286)/2008]

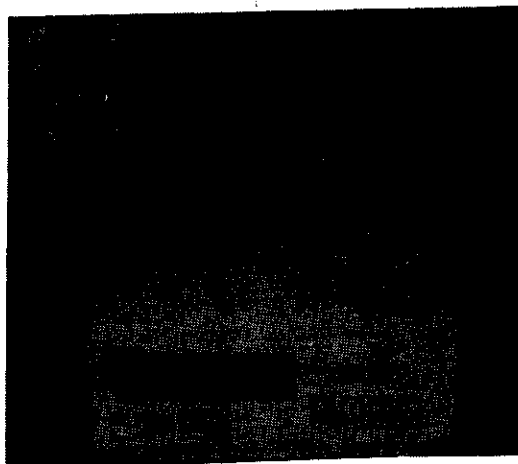
आर. माथुरबूम, निदेशक, विधिक माप विज्ञान

New Delhi, the 20th April, 2009

S.O. 1627.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Static Electronic Road Weighbridge) with digital indication of medium accuracy (Accuracy class-III) of Series "DEWB" and with brand name "WISHWAKARMA" (hereinafter referred to as the said model), manufactured by M/s. Vishwakarma Scales Private Limited, 166 Nehru Nagar Post Box-31, Roorkee, Distt Haridwar (Uttarakhand) and which is assigned the approval mark IND/09/09/52;

The said model is a strain gauge type load cell based non-automatic weighing instrument with a maximum capacity of 60 tonne and minimum capacity of 200kg. The verification scale interval (e) is 10kg. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230Volts, 50Hertz alternative current power supply.



Lead seal is affixed on the stamping plate which is attached in the back side of the indicator for the security of circuit and mechanical assembly to avoid fraudulent use. Sealing can be done by applying lead and seal wire through the holes provided on the body of the instrument. The instrument cannot be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and up to 200 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (286)/2008]

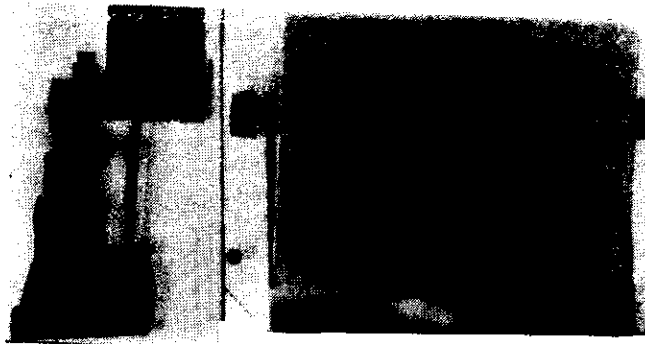
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 20 अप्रैल, 2009

का.आ. 1628.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स नोवा व्हे इंडिया लि., एल-13, डा. वी एस आई एस्टेट, फेज-II, (निबर एसआरपी टूल्स) थिउवनमलूर, चेन्नै-600041 द्वारा विनिर्मित यथार्थता वर्ग-X(1) के "डीएफएस-एल" शृंखला के स्वचालित ग्रविमेट्रीक फिलिंग इंस्ट्रुमेंट (ड्रम फिलिंग इंस्ट्रुमेंट) जिसके ब्रांड का नाम "PRECIAMOLEN" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/165 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित स्वचालित ग्रविमेट्रीक फिलिंग इंस्ट्रुमेंट (ड्रम फिलिंग उपकरण) है। इसकी रेंज 10 कि.ग्रा. से 100 कि.ग्रा. या इसके बराबर की मात्रा सहित 10 भराव प्रति मिनट की (अधिकतम) बारम्बारता सहित नोजल द्वारा है, जो उत्पाद की प्रकृति और भराव को आकार पर निर्भर करता है। इसका एयर प्रैसर 5 Kg/cm² है। मशीन को मुक्त प्रवाह के साथ विस्कास या नॉन-विस्कास के उत्पाद जैसे, तेल, जूस, कीटनाशक, पेंट, चिचिपे रसायन आदि भरने के लिए डिजाइन किया गया है। वैक्यूम फ्लोरेस डायोड (वीएफडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 मॉडल को सीलिंग करने के प्रावधान का योजनाबद्ध डायग्राम

व्हेट कंट्रोल के विकर्षण: विपरीत कोणों पर पिछली प्लेट काट कर, दो छेद किए गए हैं और स्टाम्प और सील सत्यापन के लिए इन दो छेदों को लीड तार से बांधा जाता है। उपकरण को सील से छेड़छाड़ किए बिना नहीं खोला जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मस्टर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 10 कि.ग्रा. से 100 मि.ग्रा. तक की रेंज में हैं।

[फा. सं. डब्ल्यूएम-21 (61)/2009]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 20th April, 2009

S.O. 1628 .—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of Automatic Gravimetric Filling Instrument (Drum Filling Instrument) belonging to Accuracy Class, X(1) of 'DFS-L' series with brand "PRECIA MOLEN" (hereinafter referred to as the said model), manufactured by M/s Nova Weigh India Ltd., L-13, Dr. V.S.I. Estate, Phase II, Old S.R.P. Tools, Thirumangaloor, Chennai-600041 and which is assigned the approval mark IND/09/09/165;

The said model is a strain gauge type load cell based Automatic Gravimetric Filling Instrument (Drum Filling Instrument) having the range from 10 k.g. to 100 Kg. or of equivalent volume with a frequency of weighing 10 fill per minute (max.) through the nozzle depending upon size of fill and nature of the product. Its air pressure is 5 Kg/cm². The Machine is designed for filling the free flowing viscous and non-viscous products like oil, juices, pesticides, paints, chemical adhesives, etc. The vacuum Fluorescent Diode (VFD) indicates the weighing results. The instrument operates on 236 Volts, 50 Hz. alternating current power supply.

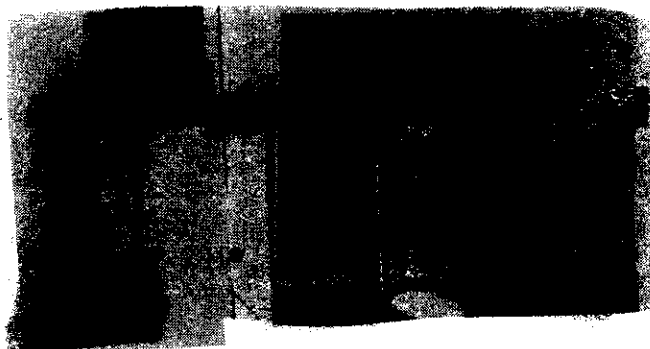


Figure-2: Schematic diagram of sealing provision of the model

Two holes are made on the rear plate at diagonally opposite corners of the weight controller which are fastened by using a loaded wire through these holes for receiving the verification stamp and seal. The indicator can not be opened without tempering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. with verification scale interval (n) in the range of 10 kg to 100 kg or equivalent volume manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (61)/2009]

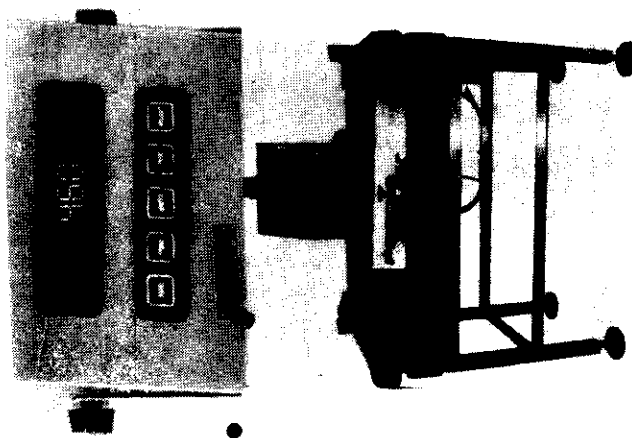
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 20 अप्रैल, 2009

का.आ. 1629.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स नोवा व्हे इंडिया लि., एल-13, डा. वी एस आई एस्टेट, फेज-II, (नियर एसआरपी टूल्स) थिउवनमलूर, चेन्नै-600041 द्वारा विनिर्मित यथार्थता वर्ग रेफ-X(x) जहां $X \leq 1$ वाले "सी डब्ल्यू एस एम" शृंखला के आटोमेटिक कैच वेइंग इंस्ट्रूमेंट (चैक व्हीयर) के मॉडल का, जिसके ब्रांड का नाम "PRECIAMOLEN" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/167 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित स्वचालित कैच वेइंग इंस्ट्रूमेंट (चैक व्हीयर) है। इसकी रेंज 5 कि.ग्रा. से 60 कि.ग्रा. या इसके बराबर की मात्रा सहित 60 पैक्स प्रति मिनट की (अधिकतम) बारम्बारता सहित जो पैकेज की लम्बाई, यथार्थता वर्ग और पैकेज ज्योमेट्री पर निर्भर करती है। इसकी अधिकतम क्षमता 25 कि.ग्रा. है और मापमान वर्गीकरण (स्केल डिविजन) 10 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। लिक्विड क्रिस्टल डायोड (एलसीडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्टस, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

व्हेट कंट्रोल के विकर्णतः विपरीत कोणों पर पिछली प्लेट काट कर, दो छेद किए गए हैं और स्ट्याम्प और सील के सत्यापन के लिए इन दो छेदों को लीड तार से बांधा जाता है। उपकरण को सील से छेड़छाड़ किए बिना नहीं खोला जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-6} , 2×10^{-6} , 5×10^{-6} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (61)/2009]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 20th April, 2009

S.O. 1629.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of Automatic Catch Weighing Instrument (Check Weigher) belonging to accuracy class, Ref,X(x), where ≤ 1 of 'CWS-M' series with brand name "PRECIAMOLEN" (herein referred to as the said model), manufactured by M/s. Nova Weigh India Ltd., L-13, Dr. V.S.I. Estate, Phase II, (Near S.R.P. Tools), Thiuvannmlyur, Chennai-600041 and which is assigned the approval mark IND/09/09/167;

The said model is a strain gauge type load cell based Automatic Catch Weighing Instrument (Check Weigher). It has the range from 5 k.g. to 60 Kg. or of equivalent volume with a maximum frequency of 60 packs per minute (max.) depending upon the package length, accuracy class and package geometry. It has maximum capacity 25 Kg. and scale interval 'd' is 10 g. It has a tare device with a 100 per cent subtractive retained tare effect. The liquid crystal diode (LCD) indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

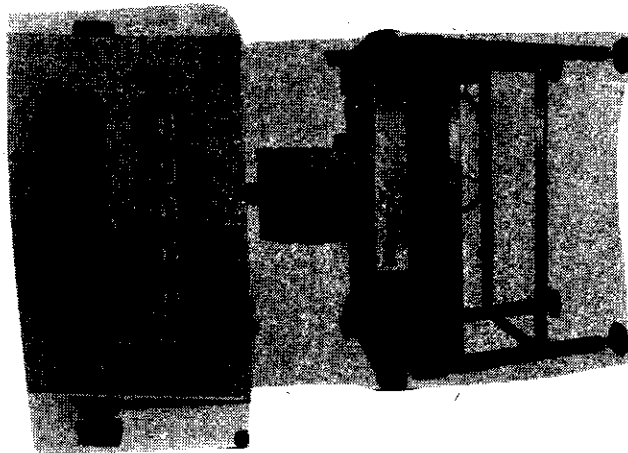


Figure-2: Sealing diagram of sealing provision of the Model

Two holes are made on the rear plate at diagonally opposite corners of the weight controller which are fastened by using a leaded wire through these holes for receiving the verification stamp and seal. The indicator can not be opened without tempering the seal. A typical schematic diagram of sealing provision of the Model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. with verification scale interval (n) in the range of 500 to 10000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F. No. WM-21 (61)/2009]

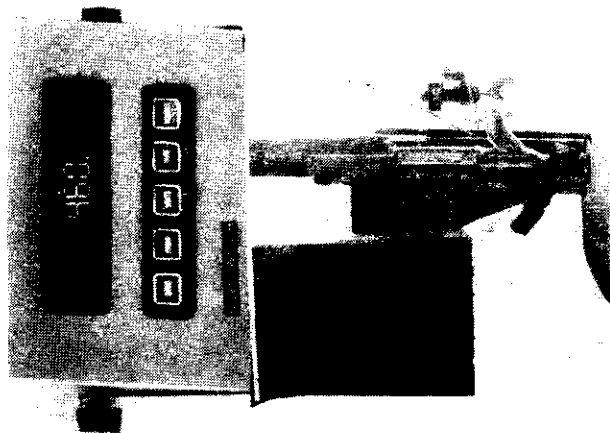
R. MATHURBOO/HAM, Director of Legal Metrology

नई दिल्ली, 20 अप्रैल, 2009

का.आ. 1630.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स नोवा व्हे इंडिया लि., एल-13, डा. वी एस आई एस्टेट, फेज-II, (नियर एस आर पी टूल्स) थिडवनमलूर, चेन्नै-600041 द्वारा विनिर्मित यथार्थता वर्ग-X(1) के "डीएफएस-एच" शृंखला के स्वचालित ग्रेविमेट्रीक फिलिंग इंस्ट्रूमेंट (ड्रम फिलिंग इंस्ट्रूमेंट) जिसके ब्रांड का नाम "PRECIAMOLEN" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/166 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित स्वचालित ग्रेविमेट्रीक फिलिंग इंस्ट्रूमेंट (ड्रम फिलिंग उपकरण) है। इसकी रेंज 100 कि.ग्रा. से 500 कि.ग्रा. या इसके बराबर की मात्रा सहित 5 भराव प्रति मिनट की (अधिकतम) बारम्बारता सहित नोजल द्वारा है, जो उत्पाद की प्रकृति और भराव के आकार पर निर्भर करती है। इसका एयर प्रेशर 5 Kg/cm^2 है। मशीन को मुक्त प्रवाह के साथ विस्कास या नॉन-विस्कास के उत्पाद जैसे तेल, जूस, कीटनाशक, पेंट, चिपचिपे रसायन आदि भरने के लिए डिजाइन किया गया है। वैक्यूम फ्लोरेस डायोड (वीएफडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

वेट कंट्रोल के विकर्णतः विपरीत कोणों पर पिछली प्लेट काट कर, दो छेद किए गए हैं और स्टाम्प और सील सत्यापन के लिए इन दो छेदों को लीड तार से बांधा जाता है। उपकरण को सील से छेड़छाड़ किए बिना नहीं खोला जा सकता। मॉडल को सीलबंद करने के उपबंध का एक श्रुपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 कि.ग्रा. से 500 कि.ग्रा. तक की रेंज में हैं।

[फा. सं. डब्ल्यू एम-21 (61)/2009]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 20th April, 2009

S.O. 1630.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of Automatic Gravimetric Filling Instrument (Drum Filling Instrument) belonging to Accuracy Class, X(1) of 'DFS-H' series with brand "PRECIAMOLEN" (hereinafter referred to as the said model), manufactured by M/s Nova Weigh India Ltd., L-13, Dr. V.S.I. Estate, Phase II, (Near S.R.P. Tools), Thiruvannamlyur, Chennai-600041 and which is assigned the approval mark IND/09/09/166;

The said Model is a strain gauge type load cell based Automatic Gravimetric Filling Instrument (Drum Filling Instrument). It has the range from 100 kg. to 500 kg. or of equivalent volume with a frequency of weighing 5 fill per minute (Max.) through the nozzle depending upon size of fill and nature of the product. Its air pressure is 5kg/cm². The Machine is designed for filling the free flowing, viscous and non-viscous products like oil, juices, pesticides, paints, chemical adhesives, etc. The vacuum Fluorescent Diode (VFD) indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

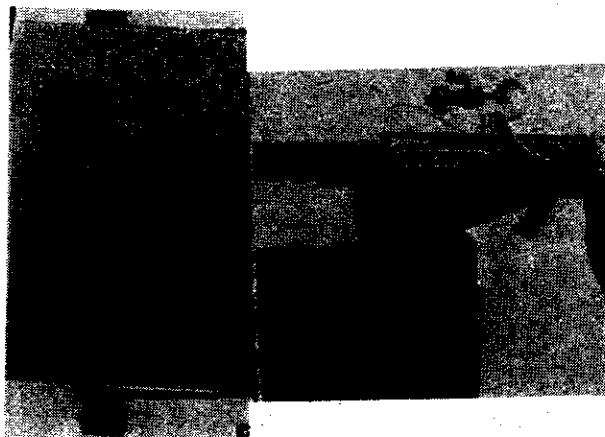


Figure-2: Schematic diagram of the sealing provision of the model

Two holes are made on the rear plate at diagonally opposite corners of the weight controller which are fastened by using a leaded wire through these holes for receiving the verification stamp and seal. The indicator can not be opened without tempering the seal. A typical schematic diagram of sealing provision of the Model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with capacity in the range of 100 kg to 500 kg or equivalent volume manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (61)/2009]

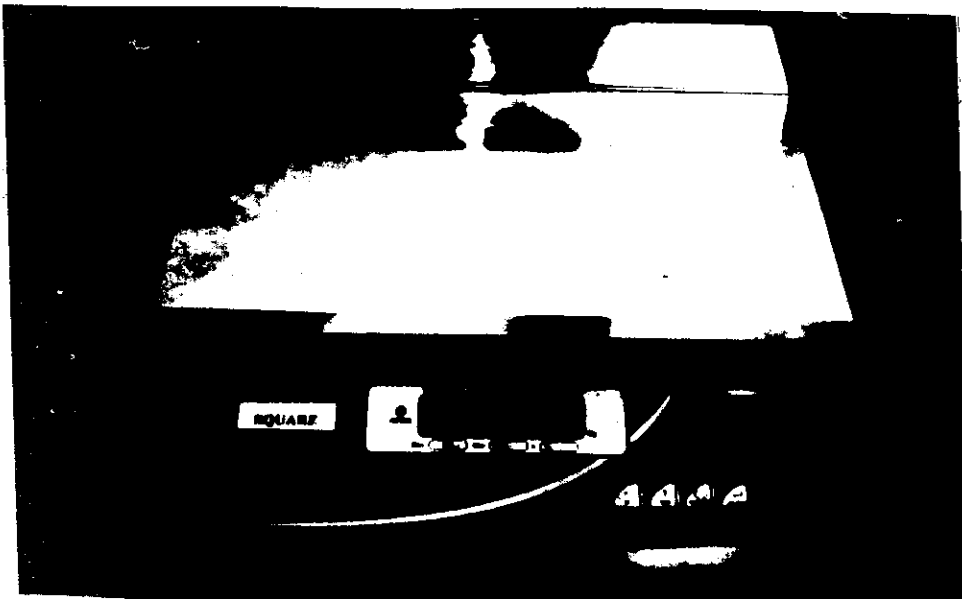
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 20 अप्रैल, 2009

का.आ. 1631.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स राज वेइंग सिस्टम, के-326, मुखिया मार्केट, सरदार पटेल रोड, करावल नगर, दिल्ली-94 द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले “एसटी” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “SQUARE” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/25 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है ;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 मॉडल की सीलिंग का योजनाबद्ध डायग्राम

सर्किट और मैकेनिकल असेंबली की सुरक्षा और कपटपूर्ण व्यवहारों से रोकने के लिए इंडीकेटर के दायीं तरफ लगी स्टॉपिंग प्लेट पर लीड सील को लगाया जाता है। उपकरण की बाड़ी पर दिए गए छेदों के माध्यम से लीड और सील तार लगाकर सीलिंग की जा सकती है। उपकरण को सील से छेड़छाड़ किए बिना नहीं खोला जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के “ई” मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के “ई” मान के लिए 5,000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^{-6} , 2×10^{-6} , 5×10^{-6} , के हैं, जो भ्रूणात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यूएम-21 (11)/2009]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 20th April, 2009

S.O. 1631.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of high accuracy (Accuracy class-II) of Series "S T" and with brand name "SQUARE" (hereinafter referred to as the said model), manufactured by M/s. Raj Weighing Systems, K-326, Mukhiya Market, Sardar Patel Road, Karawal Nagar, Delhi-94 which is assigned the approval mark IND/09/09/25;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 30Kg and minimum capacity of 100g. The verification scale interval (e) is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230V, 50Hz alternative current power supply.

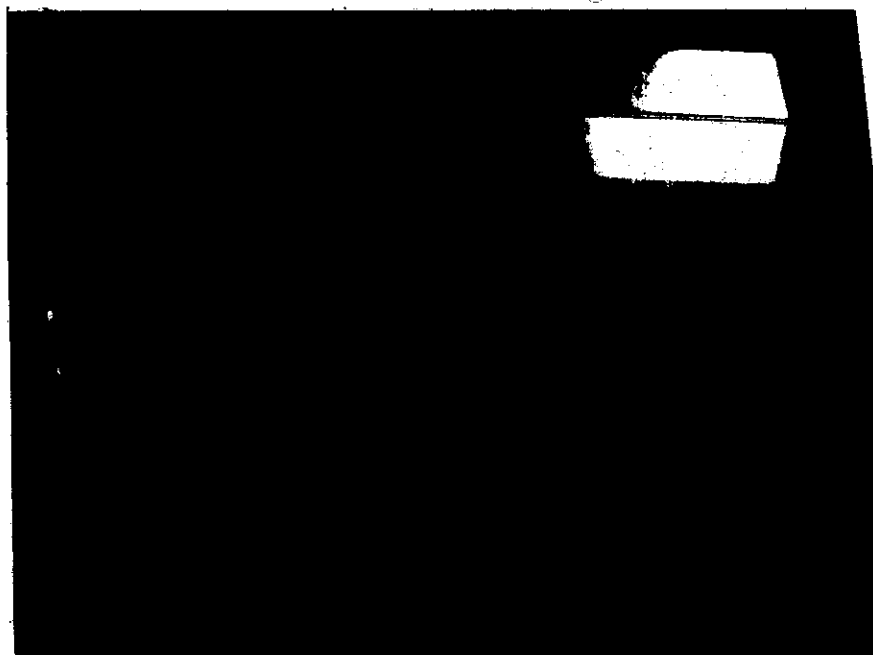


Figure-2 Schematic diagram of sealing provision of the model.

Lead seal is affixed on the stamping plate which is attached in the right side of the indicator for the security of circuit and mechanical assembly to avoid fraudulent use. Sealing can be done by applying lead & seal wire through the holes provided on the body of the instrument. The instrument cannot be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external access to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50kg with verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1mg to 50mg and with verification scale interval (n) in the range of 5,000 to 50,000 for 'e' value of 100 mg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (11)/2009]

R. MATHURBOOTHAM, Director of Legal Metrology.

नई दिल्ली, 20 अप्रैल, 2009

का.आ. 1632.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स राज वेडिंग सिस्टम, के-326, मुखिया मार्केट, सरदार पटेल रोड, करावल नगर, दिल्ली-94 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "एसपीटी" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "SQUARE" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन पत्र आई एन डी/09/09/26 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।

उक्त मॉडल विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) है। इसकी अधिकतम क्षमता 200 कि.ग्रा. और न्यूनतम क्षमता 400 ग्रा. है। सत्यापन मापमान अंतराल (ई) 20 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

सर्किट और मैकेनिकल असेंबली की सुरक्षा और कपटपूर्ण व्यवहारों से रोकने के लिए इंडीकटर के दायीं तरफ लगी स्टॉपिंग प्लेट पर लीड सील को लगाया जाता है। उपकरण की बाड़ी पर दिए गए छेदों के माध्यम से लीड और सील तार लगाकर सीलिंग की जा सकती है। उपकरण को सील के छेड़छाड़ किए बिना नहीं खोला जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही भेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 50 कि.ग्रा. से 1000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-3} , 2×10^{-3} , 5×10^{-3} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यूएम-21 (11)/2009]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 20th April, 2009

S.O. 1632.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (Accuracy class-III) of Series "SPT" and with brand name "SQUARE" (hereinafter referred to as the said model), manufactured by M/s. Raj Weighing Systems, K-326, Mukhiya Market, Sardar Patel Road, Karawal Nagar, Delhi-94 which is assigned the approval mark IND/09/09/26;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 200 Kg and minimum capacity of 400g. The verification scale interval (e) is 20g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LCD) display indicates the weighing result. The instrument operates on 230V, 50Hz alternative current power supply.

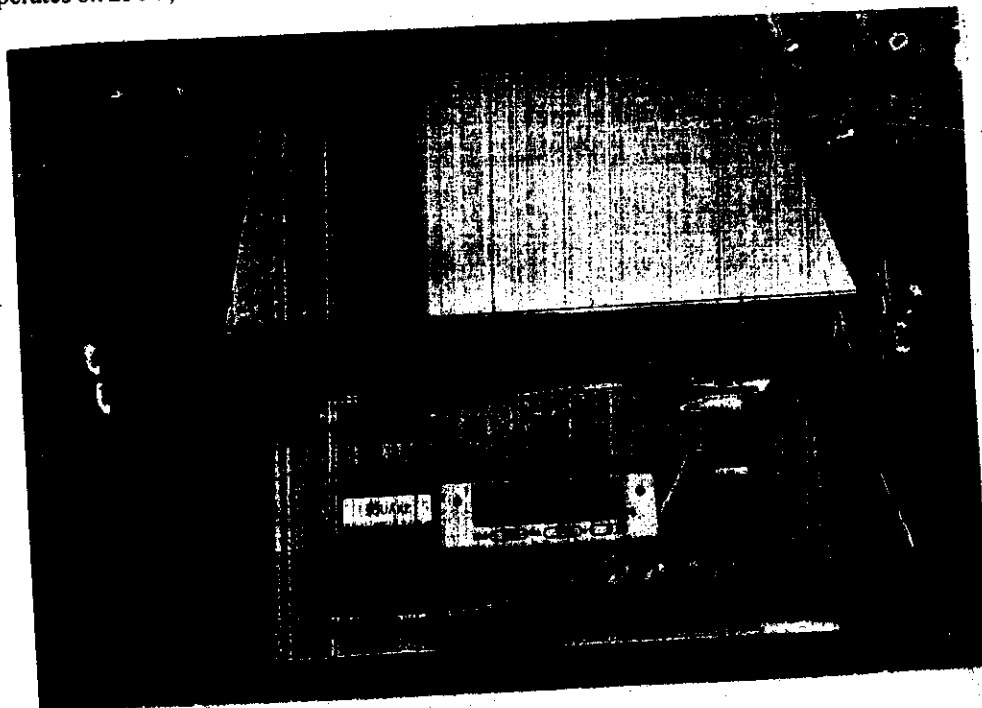


Figure-2 Schematic diagram of sealing provision of model

Lead seal is affixed on the stamping plate which is attached in the right, Back side of the indicator for the security of circuit and mechanical assembly to avoid fraudulent use. Sealing can be done by applying lead & seal wire through the holes provided on the body of the instrument. The instrument can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg up to 1000 Kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21 (11)/2009]

R. MATHURBOOTHAM Director of Legal Metrology

नई दिल्ली, 20 अप्रैल, 2009

का.आ. 1633.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स सेराक एशिया एसडीएन बीएचडी, नं. 21, जालानपेंडिडिक यू1/31 हीकाम जलेंमेरी इंडस्ट्रियल पार्क, 40150 शाह आलम सेलेनगोदरूल इहसान, मलेशिया द्वारा विनिर्मित यथार्थता वर्ग-X(1) के 'आर 12/1080' शृंखला के स्वचालित ग्रविमेट्रीक फिलिंग इंस्ट्रुमेंट, जिसके ब्रांड का नाम "SERAC" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे मैसर्स एशियन पेंटस लि. प्लाट ई 6-एफ 13, सिफ्कोट इंडस्ट्रियल पार्क, श्रीपेरूमबुदर, जिला कांचीपुरम (तमिलनाडु) द्वारा भारत में बिक्री से पूर्व अथवा बाद में बिना किसी परिवर्तन के विपणीत किया गया है जिसे अनुमोदन चिह्न आई एन डी/09/09/62 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित स्वचालित ग्रविमेट्रीक फिलिंग इंस्ट्रुमेंट है। इसकी रेंज 10 कि.ग्रा. तक 90 फिल प्रति मिनट की अधिकतम बारम्बारता सहित है, जो उत्पाद की प्रकृति और मात्रा पर निर्भर करती है। इसका एयर प्रैसर 6.Kg/cm² है। मशीन को मुक्त प्रवाह के साथ पानी आधारित पेंट को कंटेनरों में भरने के लिए डिजाइन किया गया है। लिक्विड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-3 उपकरण के मॉडल का सीलिंग प्रावधान

इंडीकेटर के विकर्णतः प्रतिमुख कोनों से पिछले कवर को काटकर छेद किए गए हैं और सील एवं स्ट्याम्प के सत्यापन के लिए इन छेदों को लीड तार से बांधा गया है। उपकरण को सील से छेड़छाड़ किए बिना इंडीकेटर को खोला नहीं जा सकता।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जिनकी क्षमता 50 कि.ग्रा. तक है।

[फा. सं. डब्ल्यू एम-21 (26)/2009]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 20th April, 2009

S.O. 1633.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of Automatic Gravimetric Filling Instrument belonging to Accuracy Class, X(1) of 'R12/1080' series with brand "SERAC" (hereinafter referred to as the said model), manufactured by M/s. Serac Asia SDN Bhd, No. 21, Jalanpendidik U1/31, Hicom Glenmarie Industrial Park, 40150 Shah Alam Selengordarul Ehsan, Malaysia and marketed in India without any alteration before or after sale by M/s Asian Paints Ltd., Plot E6-F13, Sipcot Industrial Park, Sriperumbudur, Distt. Kancheepuram, (Tamilnadu) and which is assigned the approval mark IND/09/09/62;

The said model is a strain gauge type load cell based Automatic Gravimetric Filling Instrument. It has the range upto 10 Kg. with maximum frequency of 90 fill per minute depending upon the quantity and nature of the product. Its air pressure is 6Kg/cm². The Machine is designed for filling the free flowing water based paints in containers. The Liquid Crystal Diode Display (LCD) indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

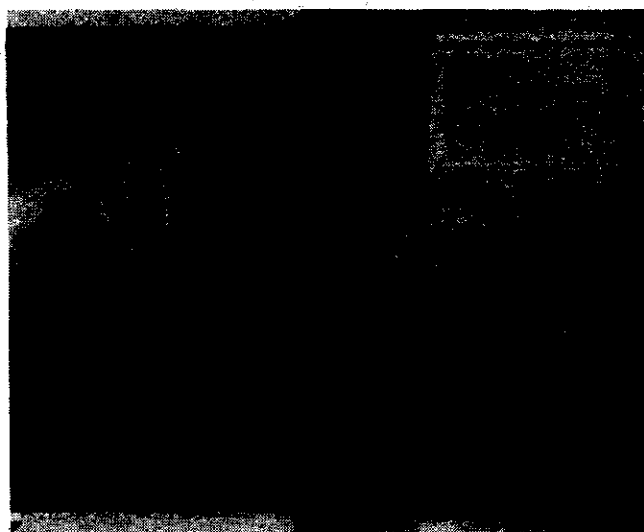


Figure-3: Sealing diagram of the sealing provision of the model

From the diagonally opposite corners of the indicator, holes are made by cutting the rear cover and fastened by using a leaded wire through these holes for receiving the verification stamp and seal. The indicator can not be opened without tempering the seal.

The instrument has external access to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the power conferred by sub-section (12) of Section-36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with capacity up to 50 kg. manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (26)/2009]

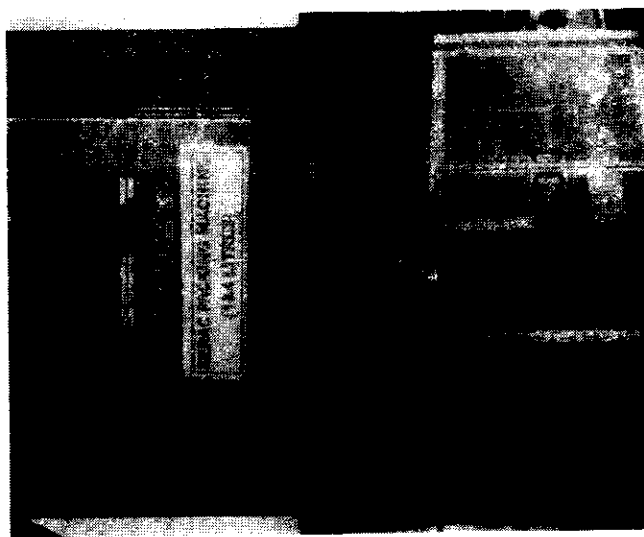
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 20 अप्रैल, 2009

का.आ. 1634.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स सेराक एशिया एसडीएन बीएचडी, नं. 21, जालानपेंडिडिक यू1/31, हीकाम जलेंमेरी इंडस्ट्रियल पार्क, 40150 शाह आलम सेलेनगोदरूल इहसान, मलेशिया द्वारा विनिर्मित यथार्थता वर्ग-X(1) के 'आर 12/1620' शृंखला के स्वचालित ग्रविमेट्रीक फिलिंग इंस्ट्रूमेंट जिसके ब्रांड का नाम "SERAC" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे मैसर्स एशियन पेंटस लि. प्लॉट ई 6-एफ 13, सिफ्कोट इंडस्ट्रियल पार्क, श्रीपेरूमबुदूर, जिला कांचीपुरम (तमिलनाडु) द्वारा भारत में बिक्री से पूर्व अथवा बाद में बिना किसी परिवर्तन के विपणीत किया गया है जिसे अनुमोदन चिह्न आई एन डी/09/09/61 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है ;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित स्वचालित ग्रविमेट्रीक फिलिंग इंस्ट्रूमेंट है । इसकी रेंज 10 कि.ग्रा. से 35 कि.ग्रा. तक 40 फिल प्रति मिनट की अधिकतम बारम्बारता सहित है, जो उत्पाद की प्रकृति और मात्रा पर निर्भर करती है । इसका एयर प्रैशर 6 Kg/cm² है । मशीन को मुक्त प्रवाह के साथ पानी आधारित पेंट को कटेनरों में भरने के लिए डिजाइन किया गया है । लिक्विड क्रिस्टल डायोड (एलसीडी) प्रदर्श तोलन परिणाम उपदर्शित करता है । उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है ।



आकृति-3 उपकरण के मॉडल का सीलिंग प्रावधान ।

इंडीकेटर के विकर्णतः प्रतिमुख कोनों से पिछले कवर को काटकर छेद किए गए हैं और सील एवं स्टाम्प के सत्यापन के लिए इन छेदों को लीड तार से बांधा गया है । सील से छेड़छाड़ किए बिना इंडीकेटर को खोला नहीं जा सकता ।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है । बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है । मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है ।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जिनकी क्षमता 50 कि.ग्रा. तक है ।

[फा. सं. डब्ल्यू एम-21 (26)/2009]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 20th April, 2009

S.O. 1634.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of Automatic Gravimetric Filling Instrument belonging to Accuracy Class, X(1) of 'R12/1620' series with brand "SERAC" (hereinafter referred to as the said model), manufactured by M/s. Serac Asia SDN Bhd, No. 21, Jalanpendidik U1/31, Hicom Glenmarie Industrial Park, 40150 Shah Alam Selengordarul Ehsan, Malaysia and marketed in India without any alteration before or after sale by M/s. Asian Paints Ltd., Plot E6-F13, Sipeot Industrial Park, Srirumbudur, Dist. Kancheepuram, (Tamilnadu) and which is assigned the approval mark IND/09/09/61;

The said model is a strain gauge type load cell based Automatic Gravimetric Filling Instrument. It has the range upto 10 Kg. to 35 kg. with maximum frequency of 40 fill per minute depending upon the quantity and nature of the product. Its air pressure is 6Kg/cm². The Machine is designed for filling the free flowing water based paints in containers. The Liquid Crystal Diode Display (LCD) indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current power supply

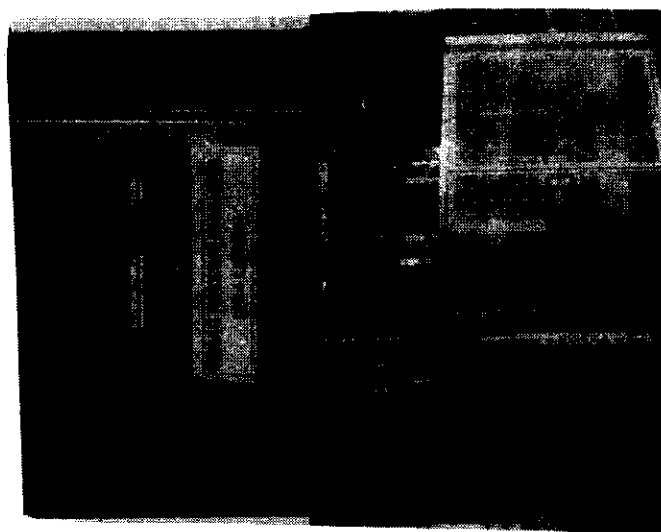


Figure-3: Schematic diagram of the sealing provision of the model

From the diagonally opposite corners of the indicator, holes are made by cutting the rear cover and fastened by using a leaded wire through these holes for receiving the verification stamp and seal. The indicator can not be opened without tempering the seal.

The instrument has external access to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with capacity up to 50 kg manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (26)/2009]

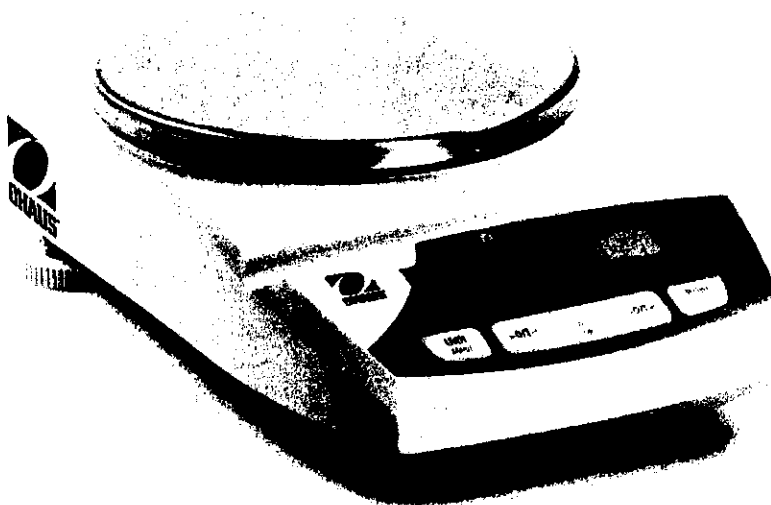
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 20 अप्रैल, 2009

का.आ. 1635.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स ओहॉस कोरपोरेशन, # 19 ए, चेपीन रोड, पी.ओ. बाक्स 2033, पिन बूक, NJ07058-2033, यू.एस.ए. द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले "PA-II" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप टाइप) के मॉडल का, जिसके ब्रांड का नाम "OHAUS" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे भारत में बिक्री से पहले या बाद में बिना किसी परिवर्तन के मैसर्स ओहॉस वेइंग इंडिया प्राइवेट लि., अमर हिल्स, साकी विहार रोड, पोवई, मुंबई-400072 महाराष्ट्र द्वारा विपणीत किया गया है और जिसे अनुमोदन चिह्न आई एन डी/09/08/576 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक इलेक्ट्रो मैग्नेटिक फोर्स कम्पेंशन सिद्धांत पर आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 4100 ग्रा. और न्यूनतम क्षमता 5 ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 मि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। लिक्विड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम।

निचली प्लेट और साइड प्लेट में दो छेद करके, सीलिंग की जाती है और इन छेदों में से मुड़ी सीलिंग तार निकाली जाती है और तब लीड से सील की जाती है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के "ई" मान के लिए 100 से 1,00,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5,000 से 1,00,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-6} , 2×10^{-6} , 5×10^{-6} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (226)/2008]

आर. माधुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 20th April, 2009

S.O. 1635.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of high accuracy (Accuracy class-II) of Series "PA-II" and with brand name "OHAUS" (hereinafter referred to as the said model), manufactured by M/s. Ohaus Corporation, # 19A, Chapin Road, P.O. Box 2033, Pine Brook, NJ07058-2033, USA and marketed in India without any alteration before or after sale by M/s. Ohaus Weighing India Pvt. Ltd., Amar Hill, Saki Vihar Road, Powai, Mumbai-400 072 and which is assigned the approval mark IND/09/08/576;

The said model is an Electro Magnetic Force Compensation Principle based non-automatic weighing instrument with a maximum capacity of 4100g and minimum capacity of 5g. The verification scale interval (e) is 100mg. It has a tare device with a 100 percent subtractive retained tare effect. The Light Crystal Diode (LCD) display indicates the weighing result. The instrument operates on 230V, 50Hz alternative current power supply.



Figure-2 Schematic diagram of sealing provision of the model.

The sealing is done by making two holes, one in bottom plate and other in the side plate and a twisted sealing wire is passed from these holes and then sealed by the lead. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg with verification scale interval (n) in the range of 100 to 1,00,000 for 'e' value of 1mg to 50mg and with verification scale interval (n) in the range of 5,000 to 1,00,000 for 'e' value of 100mg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (226)/2008]

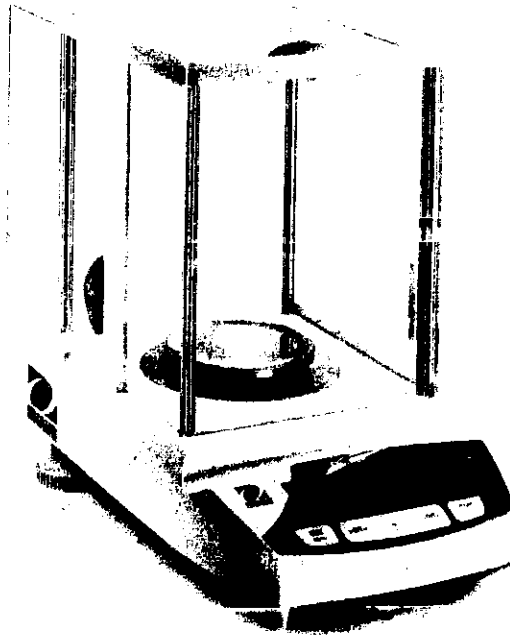
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 20 अप्रैल, 2009

का.आ. 1636.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स ओहॉस कॉर्पोरेशन, # 19 ए, चेपीन रोड, पी.ओ. बाक्स 2033, पिन ब्रुक, NJ07058-2033, यू.एस.ए. द्वारा विनिर्मित विशेष यथार्थता (यथार्थता वर्ग-1) वाले "PA-I" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप टाइप) के मॉडल का, जिसके ब्रांड का नाम "OHAUS" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे भारत में बिक्री से पहले या बाद में बिना किसी परिवर्तन के मैसर्स ओहॉस वेइंग इंडिया प्राइवेट लि., अमर हिल्स, साकी बिहार रोड, पोवई, मुंबई-400072 महाराष्ट्र द्वारा विपणीत किया गया है और जिसे अनुमोदन चिह्न आई एन डी/09/08/577 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करता है।

उक्त मॉडल एक इलेक्ट्रो मैग्नेटिक फोर्स कंप्रेशन सिद्धांत पर आधारित अस्वचालित तालन उपकरण है। इसकी अधिकतम क्षमता 210 ग्रा. है और न्यूनतम क्षमता 100 मि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 1 मि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। लिक्विड क्रिस्टल डायोड (एन सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम :

निचली प्लेट और साइड प्लेट में दो छेद करके, सीलिंग की जाती है और इन छेदों में से भुड़ी सीलिंग तार निकाली जाती है और तब लीड से सील की जाती है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपराक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. या अधिक के "ई" मान के लिए 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित और 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-6} , 2×10^{-6} , 5×10^{-6} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यूएम-21 (226)/2008]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 20th April, 2009

S.O. 1636.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Table top type) with digital indication of special accuracy (Accuracy class-I) of Series "PA-I" and with brand name "OHAUS" (hereinafter referred to as the said Model), manufactured by M/s. Ohaus Corporation, # 19A, Chapin Road, P.O. Box 2033, Pine Brook, NJ07058-2033, USA and marketed in India without any alteration before or after sale by M/s. Ohaus Weighing India Pvt. Ltd., Amar Hill, Saki Vihar Road, Powai, Mumbai-400 072 and which is assigned the approval mark IND/09/08/577;

The said Model is an Electro Magnetic Force Compensation Principle based non-automatic weighing instrument with a maximum capacity of 210g and minimum capacity of 100mg. The verification scale interval (e) is 1mg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Crystal Diode (LCD) display indicates the weighing result. The instrument operates on 230V, 50Hz alternative current power supply.

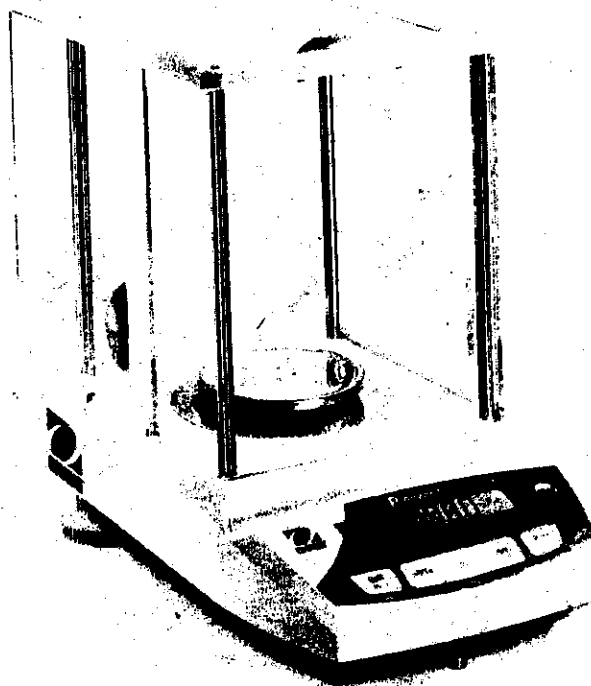


Figure-2: Schematic diagram of sealing provision of the Model.

The sealing is done by making two holes, one in bottom plate and other in the side plate and a twisted sealing wire is passed from these holes and then sealed by the lead. A typical schematic diagram of sealing provision of the Model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg with verification scale interval (n) in the range 50,000 or above for 'e' value of 1mg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F. No. WM-21 (226)/2008]

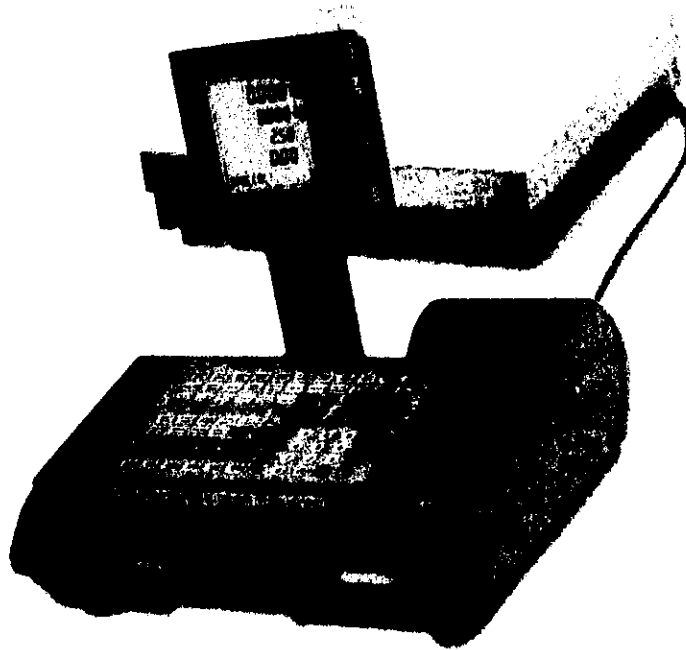
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 20 अप्रैल, 2009

का.आ. 1637.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स मैटलर टोलेडो इंडिया प्राइवेट लि., अमर हिल्स, साकी विहार रोड, पोवई, मुंबई-400072 महाराष्ट्र द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “एलए” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार-डुअल रेंज) के मॉडल का, जिसके ब्रांड का नाम “मेटलर टोलेडो” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/336 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (प्लेटफार्म प्रकार-डुअल रेंज) तोलन उपकरण है। इसकी अधिकतम क्षमता 1500 कि.ग्रा. है और न्यूनतम क्षमता 2 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 600 कि. ग्रा. तक 100 ग्रा. और 600 कि.ग्रा. से 1500 कि.ग्रा. तक 200 ग्रा. है। उपकरण में कुछ अतिरिक्त कार्य हैं जैसे मैनुअल कंट्रोल फंक्शन, प्री-पैकिंग, इवेंटरी फंक्शन, बल्क सेल्ज, सेल्फ सर्विसिंग, सेल्ज रिस्पिट, लेबल, सेल्फ-लेबलिंग और प्रिंटिंग सुविधा आदि। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। लिक्विड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 सीलिंग प्रावधान

सीलिंग को तोल पैन पर किया जाता है, जहां दो होल स्कू हैं जिसके माध्यम से सत्यापन सील और स्टाम्प प्राप्त करने के लिए लीड तार को बांधा जाता है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से अधिक और 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यूएम-21 (258)/2008]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 20th April, 2009

S.O. 1637.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type-dual range) with digital indication of "LA" series of medium accuracy (Accuracy class-III) and with brand name "METTLER TOLEDO" (hereinafter referred to as the said model), manufactured by M/s. Mettler Toledo India Pvt. Ltd., Amar Hills, Saki Vihar Road, Powai, Mumbai-400 072. Maharashtra and which is assigned the approval mark IND/09/08/336;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type-dual range) with a maximum capacity of 1500 k.g. and minimum capacity of 2 k.g. The verification scale interval (e) is 100g. up to 600 kg. and 200g above 600 kg. and up to 1500 kg. The instrument has the following additional function like manual control function, pre-packing, inventory function, bulk sales, self-servicing, sales receipt, label, self-labeling and printing facility. It has a tare device with a 100 percent subtractive retained tare effect. The liquid crystal diode (LCD) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

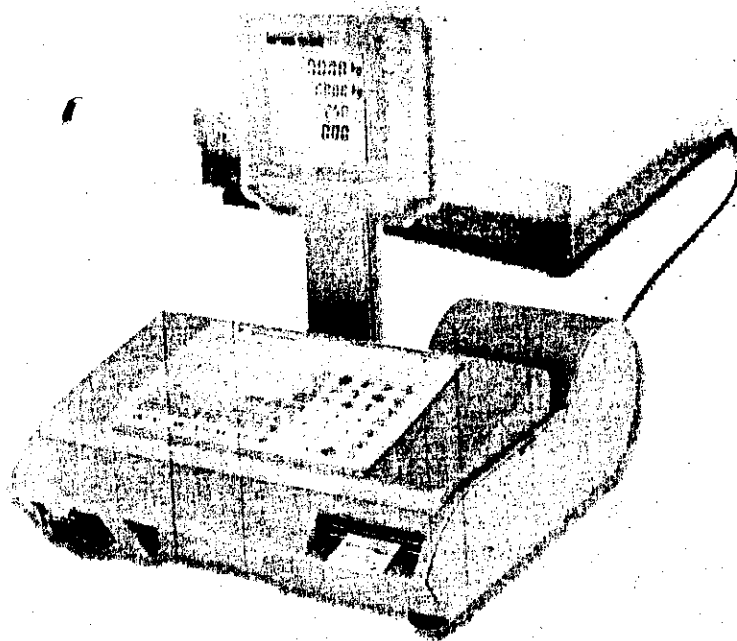


Figure-2: Schematic diagram of sealing provision of the model

The sealing is done on the weigh pan, where there are two holed screws, through which a leaded wire is fastened for receiving the verification seal and stamp. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 kg. to 5000 kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (258)/2008]

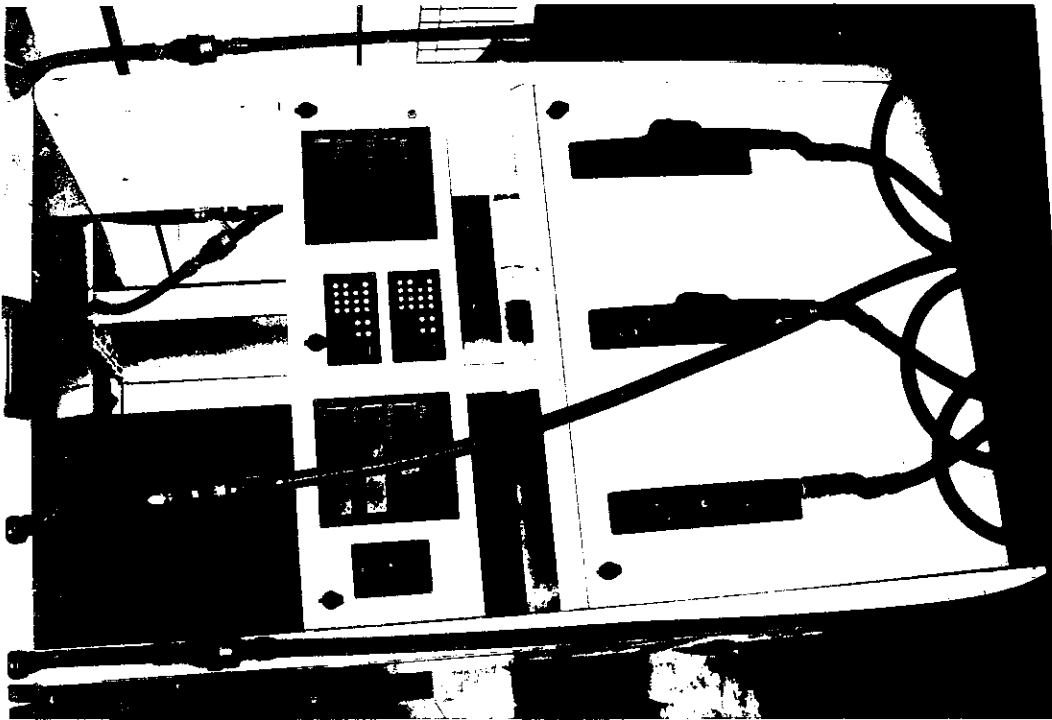
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 20 अप्रैल, 2009

का.आ. 1638.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों को प्रयोग करते हुए मैसर्स टोकेहैम कैयजन प्राइवेट लि., ए 313/174, टी टी सी इंडस्ट्रियल एरिया, एम आई डी सी, माहेप, नवी मुंबई द्वारा अंकक सूचन सहित "स्प्रिट" शृंखला के इलेक्ट्रॉनिक डिस्प्लेसिंग पम्प के मॉडल का, जिसके ब्रांड का नाम "स्प्रिट" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/60 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल इलेक्ट्रॉनिक केलिब्रेशन और इलेक्ट्रोमैकेनिकल टोटलाइजर सहित इलेक्ट्रॉनिक डिस्पेंसर/डिस्पेंसिंग पम्प जिसमें सिंगल होज से छः नोजल तक प्राप्त हैं, पाजिटिव डिस्प्लेसमेंट मीटर के सिद्धांत पर कार्य करता है। इसका अधिकतम प्रवाह दर 80 लीटर प्रति मिनट और न्यूनतम प्रवाह दर अधिकतम का 10% है। इसमें "मूल्य" सूचन के लिए 7 अंको (00000.00) की आकृति, "वाल्यूम" के लिए 7 अंक (00000.00), "यूनिट प्राइस" के लिए 5 अंक (000.00) और इलेक्ट्रोमैकेनिकल टोटलाइजर के लिए 7 अंक जमा। दशमलव है। उपकरण के सूचन संकेत लिक्विड क्रिस्टल डायोड (एल सी डी) पर प्रदर्शित होते हैं। उपकरण 220 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। इलेक्ट्रॉनिक्स या तो सीधा पावर के साथ या वैकल्पिक बैटरी के माध्यम से कार्य करता है। पेट्रोलियम उत्पादों के वितरण के लिए मूल्य और मात्रा के लिए मॉडल में प्री-सेट की सुविधा है।



आकृति-2 सीलिंग प्रावधान

मीटर असम्बली के हेड स्क्रू और सीलिंग बोल्ट के छेदों में से सील वायर निकाल कर पम्प की सीलिंग की जाती है। तब मीटर को खोले जाने से रोकने के लिए लीड सील लगाई जाती है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

[फा. सं. डब्ल्यू एम-21 (22)/2009]

आर. भाथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 20th April, 2009

S.O. 1638.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report is in conformity with the provision of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by the third provision to sub-section (3) and sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby approves issues and publishes the certificate of approval of the model of Electronic Dispensing Pump with digital indication (hereinafter referred to as the said model), of series 'Spirit' with brand name "SPIRIT", manufactured by M/s. Tokheim Kaizen Pvt. Ltd., A313/174, TTC Industrial Area, MIDC, Mahape, Navi Mumbai, Maharashtra and which is assigned the approval mark IND/09/09/60;

The said model is an electronic dispenser/dispensing pump available from single hose to six nozzles working on the principle of positive displacement meter with electronic calibration and electromechanical totalizer. It has a maximum flow rate upto 80 lpm and a minimum flow rate of 10% of maximum. Display maximum configuration is 7 digits (00000.00) for "Price" indication, 7 digits (00000.00) for "Volume" indication, 5 digits (000.00) for "Unit Price" and 7 digits plus 1 decimal for electromechanical totalizer. The indications of the instrument are displayed on the Liquid Crystal Diode (LCD) display type. It operates on 220V, 50 Hertz A/C power supply. The Electronics would be either powered direct or alternatively through battery. Model also has the pre-set facility for volume & price of the petroleum products to be dispensed.

Figure-I : Model

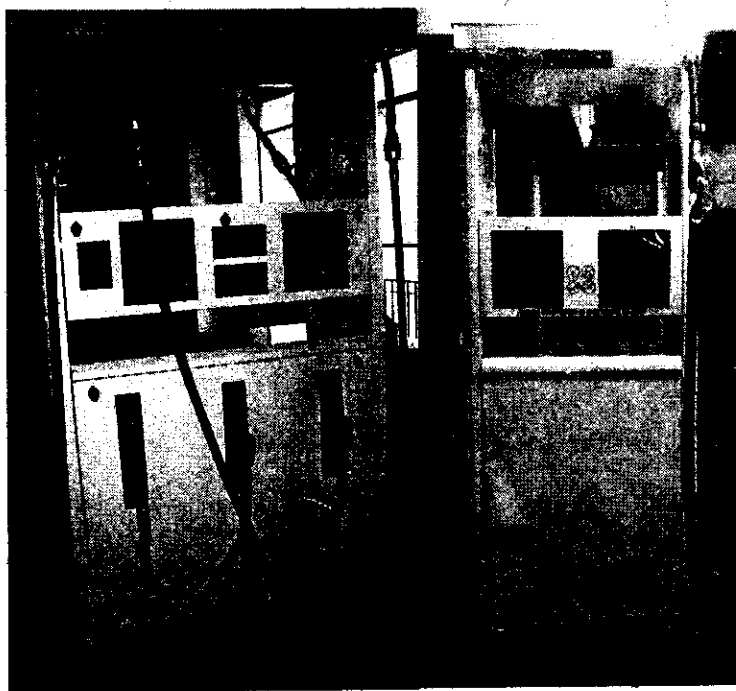


Figure-2:—Sealing arrangement Metering unit

For sealing the pump seal wire is passed through the holes of head screw of meter assembly and then through the sealing bolt. Then lead seal is applied to prevent the opening of the meter.

The instrument has external access to calibration. A dip switch has also been provided in A/D card mother board to disable access to external calibration. A typical schematic diagram of sealing provision of the model is given above.

[F. No. WM-21 (22)/2009]

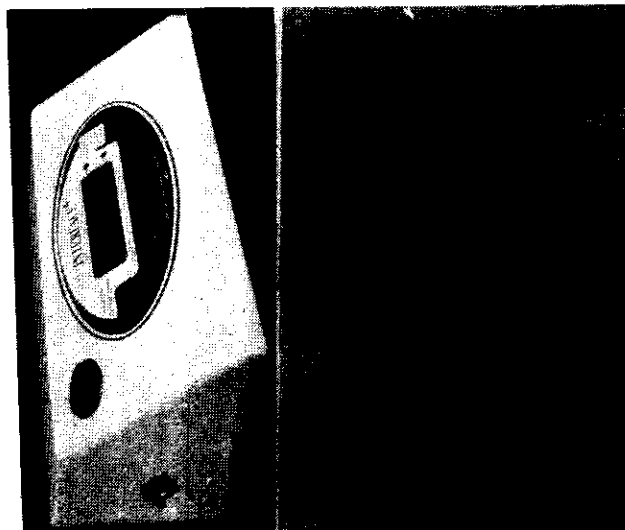
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 20 अप्रैल, 2009

का.आ. 1639.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए मैसर्स इंटरफेस स्कैल्स प्रा. लि., ए-87/5, वजीरपुर इंडस्ट्रियल एरिया, दिल्ली-110052 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "आई एफ डब्ल्यू बी" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (वेब्रिज टाइप) के मॉडल का, जिसके ब्रांड का नाम "इंटरफेस" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/608 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (वेब्रिज टाइप) है। इसकी अधिकतम क्षमता 50 टन है और न्यूनतम क्षमता 100 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 कि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 मॉडल को सीलिंग करने के प्रावधान का योजनाबद्ध डायग्राम

स्टाम्पिंग प्लेट पर सीलिंग प्वाइंट लगाया गया है जो तोलन सूचक के दाईं तरफ और बाईं तरफ से जुड़ा हुआ है और इंडिकेटर के कवर एवं बेस को तोलन सूचक के बीच के चारों कोनों पर हेड होल स्कू के उपयोग द्वारा जोड़ा गया है। इस हेड होल स्कू को विशेष गुणवत्ता वाली तार से जोड़ा गया है और उसके बाद तार दोनों सिरों को लीड सील के साथ जोड़ा गया है। तोलन इंडिकेटर के कवर को लीड सील तोड़े बिना खोला नहीं जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से 150 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 , 5×10^3 , के हैं, जो घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (234)/2008]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 20th April, 2009

S.O. 1639.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Weighbridge Type) with digital indication of medium accuracy (Accuracy class-III) of series "IFWB" and with brand name "INTERFACE" (hereinafter referred to as the said model), manufactured by M/s. Interface Scales Pvt. Ltd., A-87/5, Wazirpur Industrial Area, Delhi-110 052 and which is assigned the approval mark IND/09/08/608;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Weighbridge Type) with a maximum capacity of 50 tonne and minimum capacity of 100kg. The verification scale interval (ϵ) is 5kg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

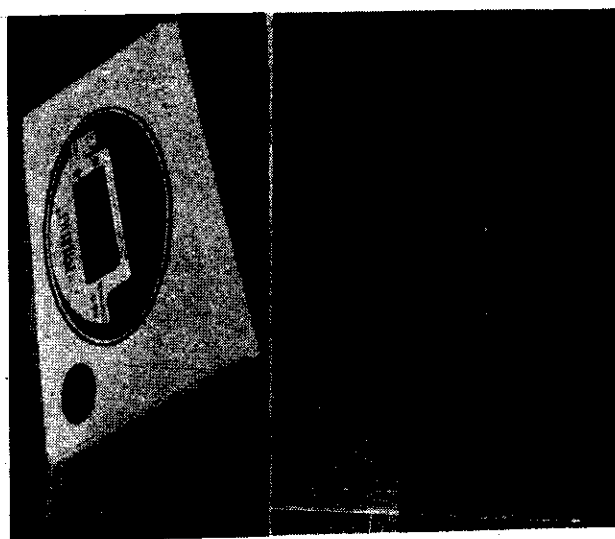


Figure-2: Sealing provision of the indicator of the model

Sealing point is affixed on the stamping plate which is attached in the right hand side or left hand side of the weighing indicator and cover and base of the indicator are connected by using head hole screws at four corner of the base of the weighing indicator. These head hole screws are connected with special quality of wire, thereafter the both ends of the wire are joined along with lead seal. Cover of the weighing indicator can not be opened without breaking the lead seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act. The Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and up to 150 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (234)/2008]

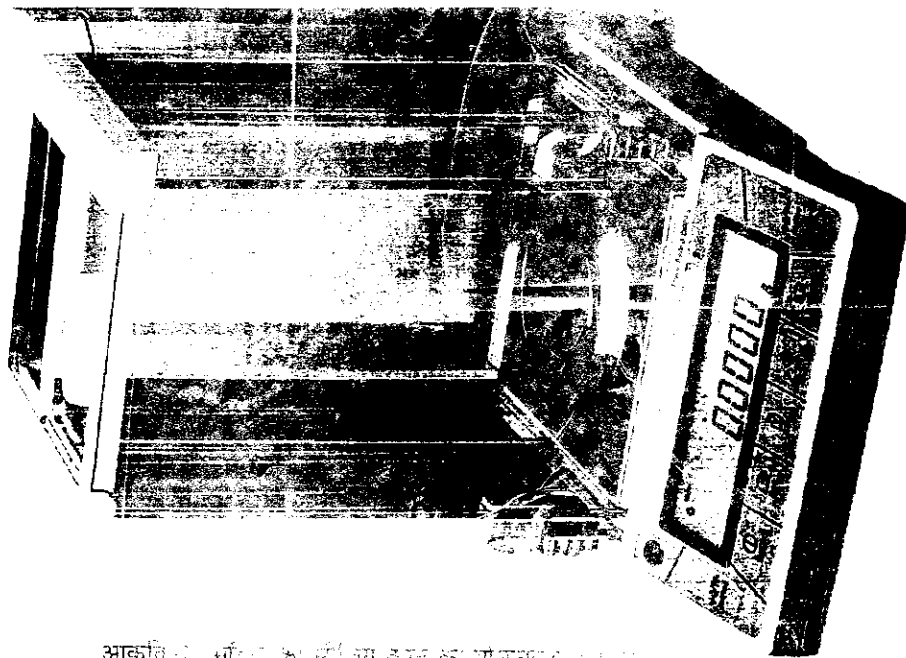
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली 20 अप्रैल 2009

का.आ. 1640.—केन्द्रीय सरकार का विहित अधिकारी द्वारा उसे प्रस्तुत रिपोर्ट में उक्त कानून के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें), यह और अन्य मानक विनियमन (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अन्तर्गत और पश्चात् की आवश्यकता के अनुसार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करेगा (होगा)।

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (17) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए मैसर्स इशिदा इंडिया प्रा. लि., 191-ग्राउंड फ्लोर, एनोपल बिल्डिंग फ्लोर-1, गुडगाँव-1, (एन.ए. रविवार्धाणा) द्वारा विनिर्मित विशेष यथार्थता (यथार्थता वर्ग-1) वाले “एन वाई” शृंखला के अकस सुचन सिस्टम, अस्वचालित तौलन उपकरण (उक्त टाप-इलेक्ट्रॉनिक एनालिटिकल बलैस) के मॉडल का, जिसके ब्रांड का नाम “ISHIDA” (जिस धर्म इसके पश्चात् उक्त मॉडल प्रस्तुत किया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/155 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक इलेक्ट्रो मेगनेटिक फोर्स कंप्रेशन सिस्टम पर आधारित अस्वचालित तौलन उपकरण है। इसकी अधिकतम क्षमता 220 ग्रा. है और न्यूनतम क्षमता 100 मि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 1 मि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। लिक्विड क्रिस्टल डिस्प्ले (एल सी डी) पर तौलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत पर कार्य करता है। उपकरण में बाहरी ताकत को सुरक्षा प्रदान करता है।



आकृति नं० 1: मॉडल का सीलिंग करने का योजनाबद्ध उपकरण

स्ट्याम्प और सीलिंग के सत्यापन के लिए इंडिकेटर के पिछले त्रिकोण के ऊपर और टैकन में प्रस्तुत किए हुए लीडिड सील वायर को दो छेद स्कू में कस कर बांध दिया जाता है। उपकरण को मॉल से छेड़छाड़ किए बिना नष्ट खोले का योजनाबद्ध मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को एकसूत्र के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तौलन उपकरण भी होंगे जो 1 मि. ग्रा. या उससे अधिक के “ई” मान के लिए 50,000 ग्रा. अधिक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^{-5} , 1×10^{-4} , 5×10^{-5} के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यूएम-21 (69)/2009]

आर. माधुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 20th April, 2009

S.O. 1640.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type-Electronic Analytical Balance) with digital indication of special accuracy (Accuracy class-I) of series "NY" and with brand name "ISHIDA" (hereinafter referred to as the said model), manufactured by M/s. Ishida India Pvt. Ltd., 191-Ground Floor, Udyog Vihar, Phase-IV, Gurgaon, Haryana-122 016 and which is assigned the approval mark IND/09/09/155.

The said model is an electro magnetic force compensation principle based non-automatic weighing instrument with a maximum capacity of 220g. and minimum capacity of 100 mg. The verification scale interval (e) is 1mg. It has a tare device with a 100 percent subtractive retained tare effect. The liquid crystal diode (LCD) display indicates the weighing result. The instrument operates on 230V. 50Hz alternative current power supply. The instrument has external weight calibration facility.

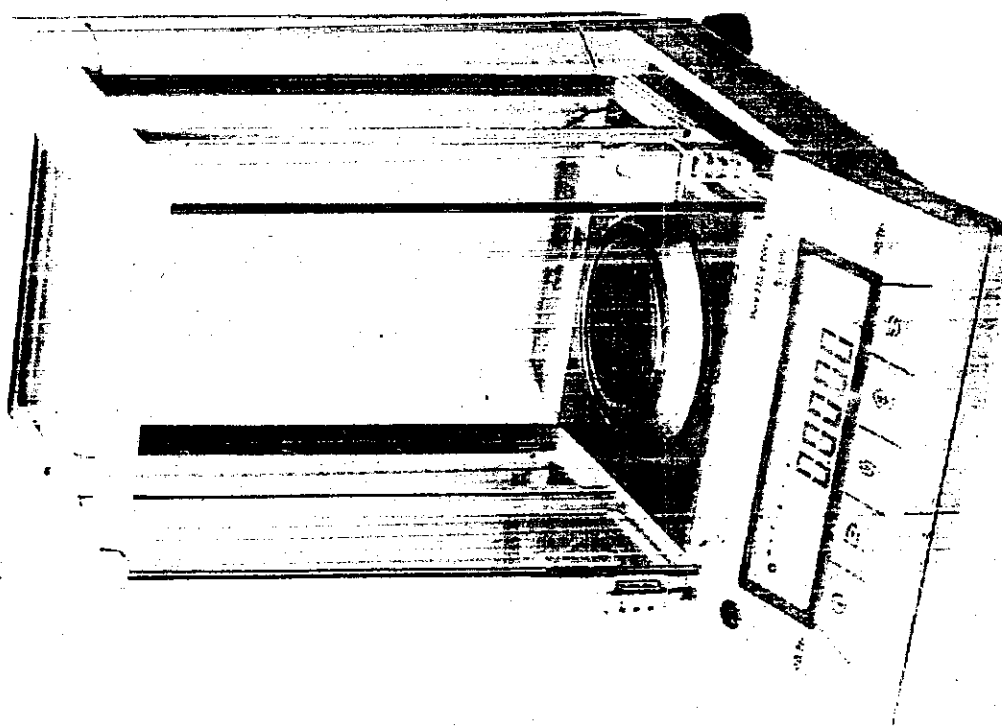


Figure-2 : Schematic diagram of sealing provision of the model

On the rear side of the indicator, a leaded sealing wire is fastened through two bored screws, passing over the cover and bracket, for receiving the verification stamp and seal. The indicator can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. with verification scale interval (n) in the range of 50,000 or above for 'e' value of 1mg. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (69)/2009]

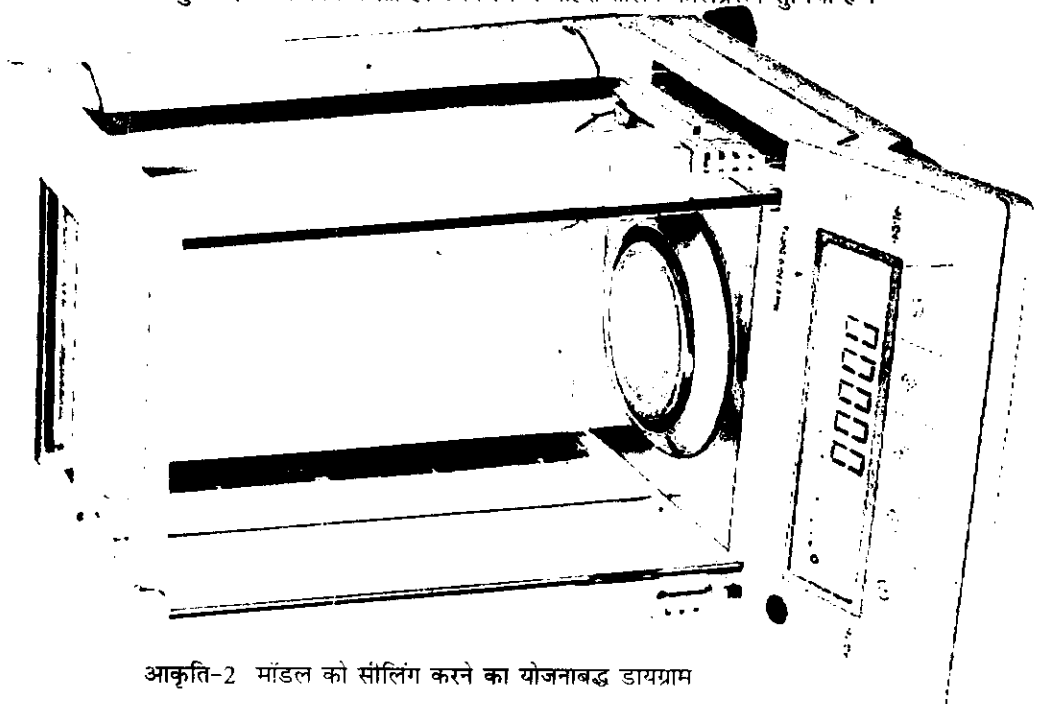
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 21 अप्रैल, 2009

का.आ. 1641.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह संभाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स इशिदा इंडिया प्रा. लि., 191-ग्राउंड फ्लोर, उद्योग विहार फेज-IV, गुडगांव-122016 (हरियाणा) द्वारा विनिर्मित विशेष यथार्थता (यथार्थता वर्ग-I) वाले “डी एक्स” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबल टॉप टाईप-इलेक्ट्रॉनिक एनालिटिकल बैलेंस) के मॉडल का, जिसके ब्रांड का नाम “ISHIDA” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/156 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक इलेक्ट्रो मेगनेटिक फोर्स कम्प्रेसन सिद्धांत पर आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 220 ग्रा. है और न्यूनतम क्षमता 100 मि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 1 मि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। लिक्विड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विधुत प्रदाय पर कार्य करता है। उपकरण में बाहरी तोलन केलिब्रेशन सुविधा है।



आकृति-2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

स्टाम्प और सीलिंग के सत्यापन के लिए इंडिकेटर के पिछली तरफ कवर और ब्रैकेट में से निकालते हुए लीडिड सील वायर को दो छेद स्क्रू में कस कर बांध दिया जाता है। उपकरण को सील से छेड़छाड़ किए बिना नहीं खोला जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. या उससे अधिक के “ई” मान के लिए 50,000 या अधिक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^4 , 2×10^4 or 5×10^4 के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (69)/2009]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 21st April, 2009

S.O. 1641.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type-Electronic Analytical Balance) with digital indication of special accuracy (Accuracy class-I) of series "DX" and with brand name "ISHIDA" (hereinafter referred to as the said model), manufactured by M/s. Ishida India Pvt. Ltd., 191-Ground Floor, Udyog Vihar, Phase-IV, Gurgaon-Haryana-122 016 and which is assigned the approval mark IND/09/09/156;

The said model is working on mono-metal tuning fork sensor principle based non-automatic weighing instrument with a maximum capacity of 220g. and minimum capacity of 100mg. The verification scale interval (e) is 1mg. It has a tare device with a 100 percent subtractive retained tare effect. The liquid crystal diode (LCD) display indicates the weighing result. The instrument operates on 230V, 50Hz alternative current power supply. The instrument has external weight calibration facility.

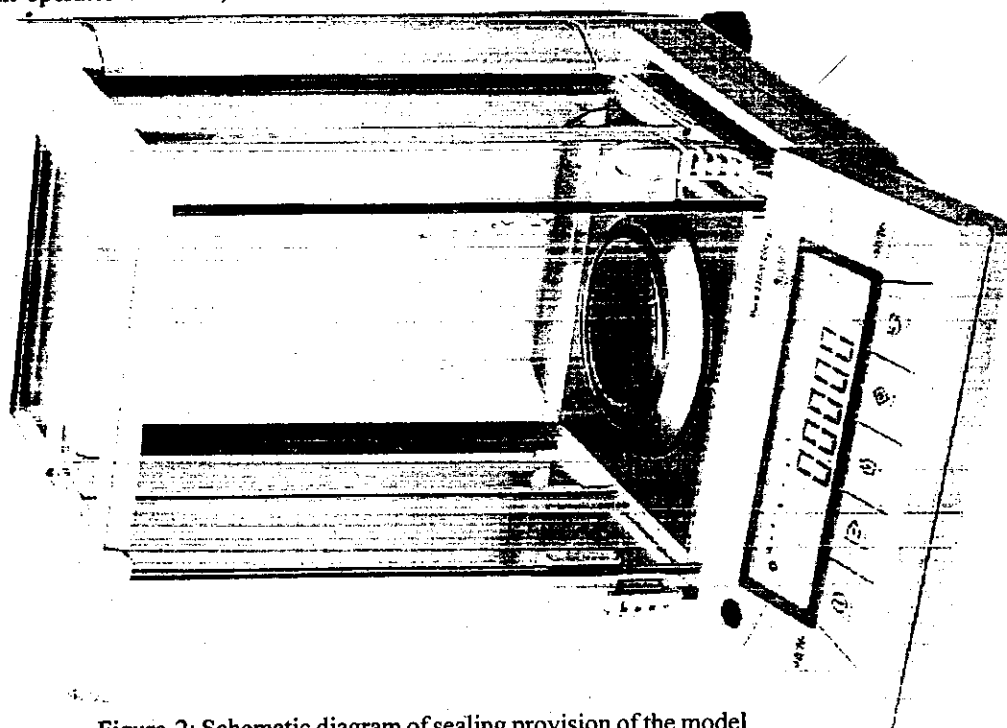


Figure-2: Schematic diagram of sealing provision of the model

On the rear side of the indicator, a leaded sealing wire is fastened through two bored screws, passing over the cover and bracket, for receiving the verification stamp and seal. The indicator can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, The Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg. with verification scale interval (n) in the range of 50,000 or above for 'e' value of 1mg. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (69)/2009]

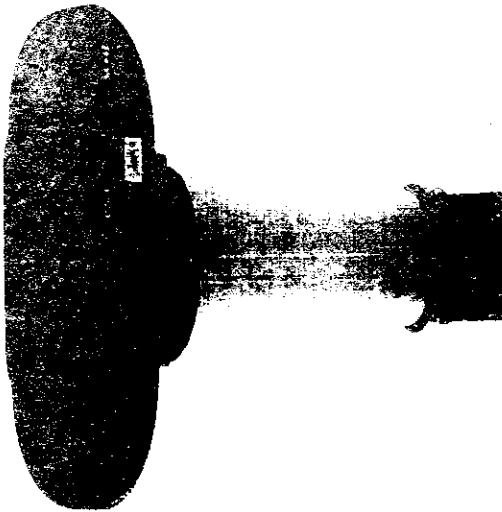
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 21 अप्रैल, 2009

का.अ. 1642.—केन्द्रीय सरकार का विभिन्न प्राधिकारों द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए मैसर्स इशिदा इंडिया प्रा. लि., 191-ग्राउंड फ्लोर, नया विहार फेज-IV, गुडगांव-122016 (हरियाणा) द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "आई टी पी-III" शृंखला के अंकक सूचन सहित, अस्वचालित तालन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "ISHIDA" है (जिसे इसमें इसकी पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/164 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तालन उपकरण (प्लेटफार्म प्रकार) है। इसकी अधिकतम क्षमता 150 कि.ग्रा. और न्यूनतम क्षमता 400 ग्रा. है। उपकरण मापमान अंतराल (ई) 20 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यक्तनात्मक धारित आधेयतुलन प्रभाव है। वैक्यूम फ्लॉयरसेट डायोड (वी एफ डी) प्रदण तापन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 मॉडल का सिलिंग करने का योजनाबद्ध डायग्राम

स्टाय्य और सीलिंग के सत्यापन के लिए इंडिकटर के पिछली तरफ कवर और ब्रैकेट में से निकालते हुए लीडिड सील वायर को दो छेद स्कू में कस कर बांध दिया जाता है। उपकरण को सील से छेड़छाड़ किए बिना नहीं खोला जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में कैलिब्रेशन के लिए बाहरी पहुंच है। बाहरी कैलिब्रेशन तक पहुंच को गेकन के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से अधिक और 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यूएम-21 (69)/2009]

आर. माधुरबुधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 21st April, 2009

S.O. 1642.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (Accuracy class-III) of series "ITP-III" and with brand name "ISHIDA" (hereinafter referred to as the said model), manufactured by M/s. Ishida India Pvt. Ltd., 191-Ground Floor, Udyog Vihar, Phase-IV, Gurgaon-Haryana-122 016 and which is assigned the approval mark IND/09/09/164;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 150kg. and minimum capacity of 400g. The verification scale interval (e) is 20g. It has a tare device with a 100 percent subtractive retained tare effect. The Vacuum Fluorescent Diode (VFD) indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

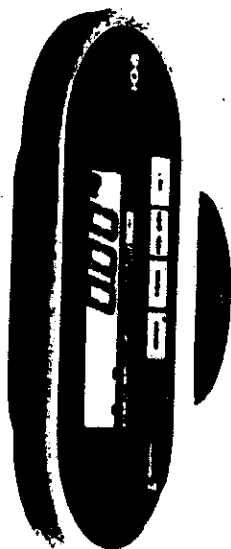


Figure-2: Sealing provision of the indicator of model

On the rear side of the indicator, a leaded sealing wire is fastened through two bored screws, passing over the cover and bracket, for receiving the verification stamp and seal. The indicator can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, The Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg. and up to 5000kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'c' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (69)/2009]

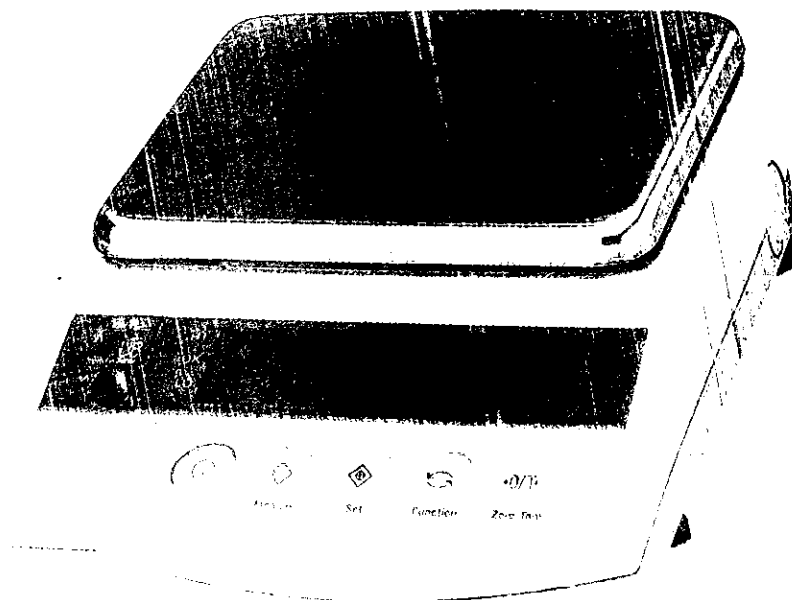
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 21 अप्रैल, 2009

क्र.आ. 1643.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए मैसर्स इशिदा इंडिया प्रा. लि., 191-ग्राउंड फ्लोर, उद्योग विहार फेज-IV, गुडगांव-122 016 (हरियाणा) द्वारा विनिर्मित विशेष यथार्थता (यथार्थता वर्ग-1) वाले "यू बी-1" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप टाइप-प्रिसिशन बलैस) के मॉडल का, जिसके ब्रांड का नाम "ISHIDA" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/157 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल मोनो-मेटल ट्यूनिंग फोर्क सेंसर सिद्धांत पर आधारित कार्य करने वाला अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 220 ग्रा. है और न्यूनतम क्षमता 100 मि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 1 मि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। लिक्विड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। उपकरण में बाहरी तोलन केलिब्रेशन सुविधा है।



आकृति-2 मॉडल को सिलिंग करने का योजनाबद्ध डायग्राम

स्टाम्प और सीलिंग के सत्यापन के लिए इंडिकेटर के पिछे बायीं तरफ नट और बोल्ट में दो छेद बनाकर लीड वायर से बांधा जाता है। उपकरण को सील से छेड़छाड़ किए बिना नहीं खोला जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. या इससे अधिक के "ई" मान के लिए 50,000 या अधिक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^4 , 2×10^4 , 5×10^4 , के हैं, जो घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (69)/2009]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 21st April, 2009

S.O. 1643.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type-Precision Balance) with digital indication of special accuracy (Accuracy class-I) of series "UB-I" and with brand name "ISHIDA" (hereinafter referred to as the said model), manufactured by M/s. Ishida India Pvt. Ltd., 191-Ground Floor, Udyog Vihar, Phase IV, Gurgaon-Haryana-122 016 and which is assigned the approval mark IND/09/09/157;

The said model is working on mono-metal tuning fork sensor principle based non-automatic weighing instrument with a maximum capacity of 220g and minimum capacity of 100mg. The verification scale interval (e) is 1mg. It has a tare device with a 100 per cent subtractive retained tare effect. The Liquid Crystal Diode (LCD) display indicates the weighing results. The instrument operates on 230V, 50Hz alternative current power supply. The instrument has external weight calibration facility.

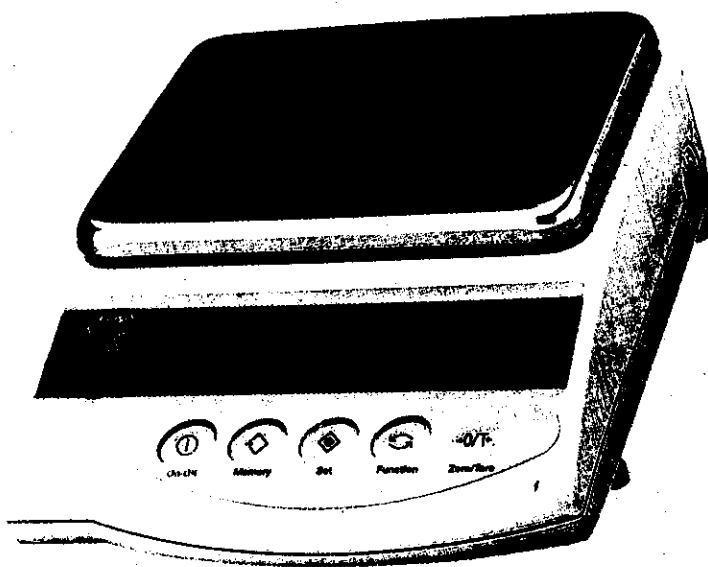


Figure-2: Schematic diagram of sealing provision of the model

On the left rear side of the indicator, two holes are made through the nuts and bolts and fastened by a leaded wire for receiving the verification stamp and seal. The indicator can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act. The Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg with verification scale interval (n) in the range of 50,000 or above for 'e' value of 1mg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (69)/2009]

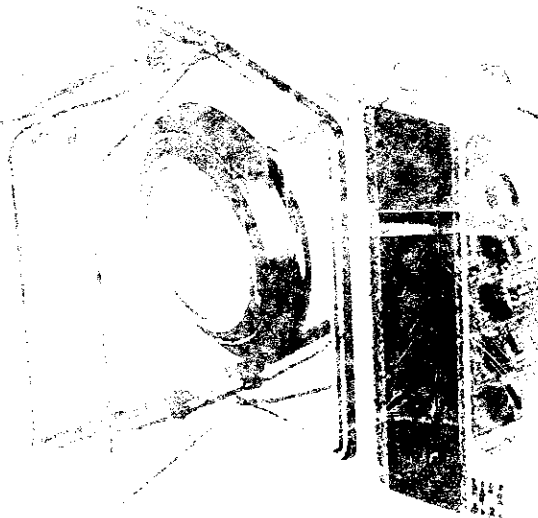
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 21 अप्रैल, 2009

का.आ. 1644.—केन्द्रीय सरकार का, विहित अधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर खतरा करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें, जहाँ जो मापमानों और निर्माण 1986 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुसार प्रयोग और इस बात का संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में प्रयुक्त भव्य प्रदान करेगा।

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 16 की उप-धारा (7) और (12) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए, मैसर्स इशिदा इंडिया प्रा. लि., 191-ग्राउंड फ्लोर, उद्योग विहार कक्ष-12, गुडगांव-122016 (हरियाणा) द्वारा विनिर्दिष्ट उच्च यथार्थता (यथार्थता वर्ग-II) वाले "यू बी-II" शृंखला के अंकक सूचन सहित, अन्वाचालित तोलन उपकरण (टेबलटॉप टाइप-प्रिसिज्शन बैलेंस) के मॉडल का, जिसके ब्रांड का नाम "ISHIDA" (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुसंधान चिह्न आई एन डी/09/09/158 समनुदर्शित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल मोनो-मेटल ट्यूनिंग फोर्क संसर्ग विद्युत पर आधारित कार्य करने वाला अन्वाचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 820 ग्रा. है और न्यूनतम क्षमता 200 मि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 10 मि.ग्रा. है। इसमें एक आधेयतुलन युक्त है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रमाण है। लिटिबिड क्रिस्टल डायोड (एस सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्त धारा विद्युत प्रदान पर कार्य करता है। उपकरण में बाहरी तोलन कैलिब्रेशन सुविधा है।



आकृति-1: मोनो-मेटल ट्यूनिंग फोर्क संसर्ग विद्युत पर आधारित कार्य करने वाला अन्वाचालित तोलन उपकरण का योजनाबद्ध डायग्राम

स्टाम्प और सीलिंग के सत्यापन के लिए दृष्टिकोण को ध्यान में रखते हुए कवर और डेक के बीच स्थित लोडिंग सोल वायर को दो छेद स्कू में कस कर बांध दिया जाता है। उपकरण को सील से छेदछाड़ कर बिना नष्ट खोला जा सकता है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में कैलिब्रेशन के लिए बाहरी पहुंच को तकलीफ से तब तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 16 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्दिष्ट उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के "ई" मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^4 , 2×10^4 or 5×10^4 के हैं, जो बनाताक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (69)/2009]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 21st April, 2009

S.O. 1644.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type-Precision Balance) with digital indication of High accuracy (Accuracy class-II) of series "UB-II" and with brand name "ISHIDA" (hereinafter referred to as the said model), manufactured by M/s. Ishida India Pvt. Ltd., 191-Ground Floor, Udyog Vihar, Phase-IV, Gurgaon-Haryana-122 016 and which is assigned the approval mark IND/09/09/158;

The said model is working on mono-metal tuning fork sensor principle based non-automatic weighing instrument with a maximum capacity of 820g and minimum capacity of 200mg. The verification scale interval (e) is 10mg. It has a tare device with a 100 per cent subtractive retained tare effect. The liquid crystal diode (LCD) display indicates the weighing result. The instrument operates on 230V, 50Hz alternative current power supply. The instrument has external weight calibration facility.

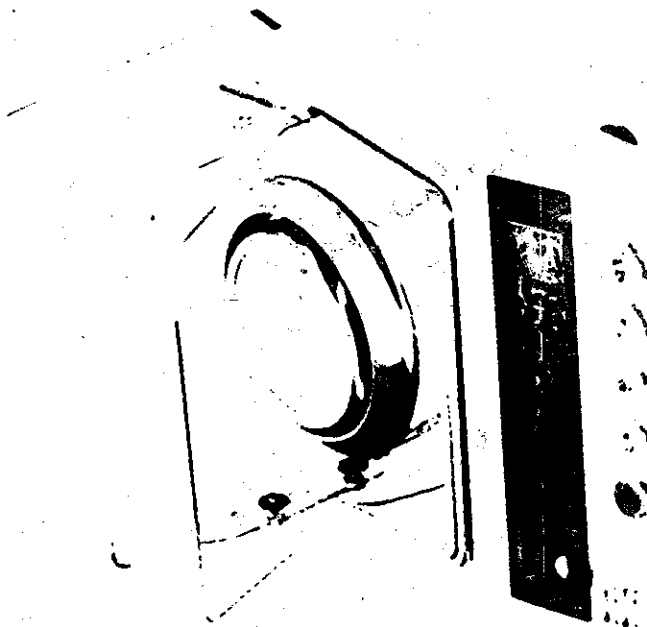


Fig. : 2 Schematic diagram of sealing provision of the model

On the rear side of the indicator, a leaded sealing wire is fastened through two bored screws, passing over the cover and bracket, for receiving the verification stamp and seal. The indicator can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, The Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50kg with verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1mg to 50mg and with verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (69)/2009]

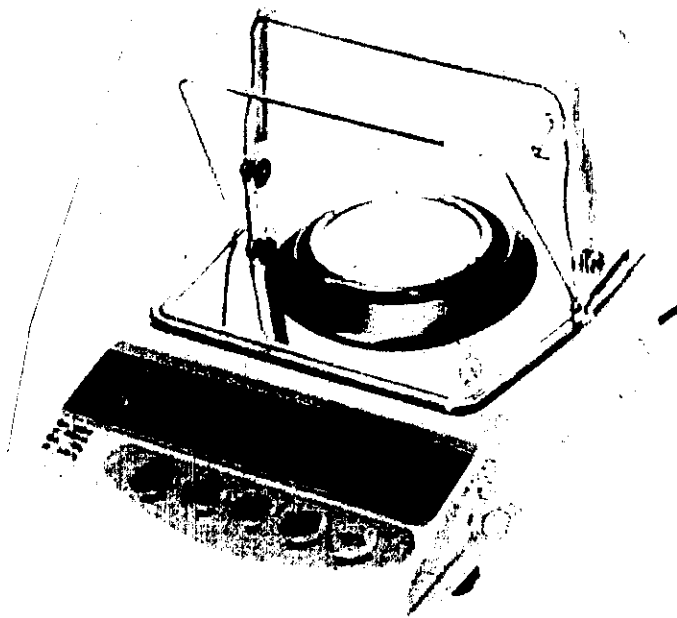
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 21 अप्रैल, 2009

का.आ.1645.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स इशिदा इंडिया प्रा.लि., 191 ग्राउंड फ्लोर, उद्योग विहार फेज-IV, गुडगांव-122016 (हरियाणा) द्वारा विनिर्मित विशेष यथार्थता (यथार्थता वर्ग I) वाले “टी वाई” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटॉप टाइप-कैरट बैलेंस) के मॉडल का, जिसके ब्रांड का नाम “ISHIDA” (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/09/159 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक मोनो-मेटल द्यूनिंग फोर्क सेंसर सिद्धांत पर आधारित कार्य करने वाला अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 120 ग्रा. और न्यूनतम क्षमता 100 मि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 1 मि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। लिक्विड क्रिस्टल डिस्प्ले (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। उपकरण में बाहरी तोलन केलिब्रेशन सुविधा है।



आकृति-2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

स्टाम्प और सीलिंग के सत्यापन के लिए इंडीकेटर के पिछली तरफ कवर और ब्रैकेट में से निकालते हुए लीडिड सील वायर को दो छेद स्क्रू में कस कर बाँध दिया जाता है। उपकरण को सील से छेड़छाड़ किए बिना नहीं खोला जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. या इससे अधिक के “ई” मान के लिए 50,000 या अधिक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 60 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (69)/2009]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 21st April, 2009

S.O. 1645.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type-Carat Balance)) with digital indication of special accuracy (Accuracy class-I) of Series "TY" and with brand name "ISHIDA" (hereinafter referred to as the said model), manufactured M/s. Ishida India Pvt. Ltd., 191-Ground Floor, Udyog Vihar, Phase-IV, Gurgaon-Haryana-122 016 and which is assigned the approval mark IND/09/09/159;

The said model is working on mono-metal tuning fork sensor principle based non-automatic weighing instrument with a maximum capacity of 120g and minimum capacity of 100mg. The verification scale interval (e) is 1mg. It has a tare device with a 100 percent subtractive retained tare effect. The liquid crystal diode (LCD) display indicates the weighing result. The instrument operates on 230V, 50Hz alternative current power supply. The instrument has external weight calibration facility.

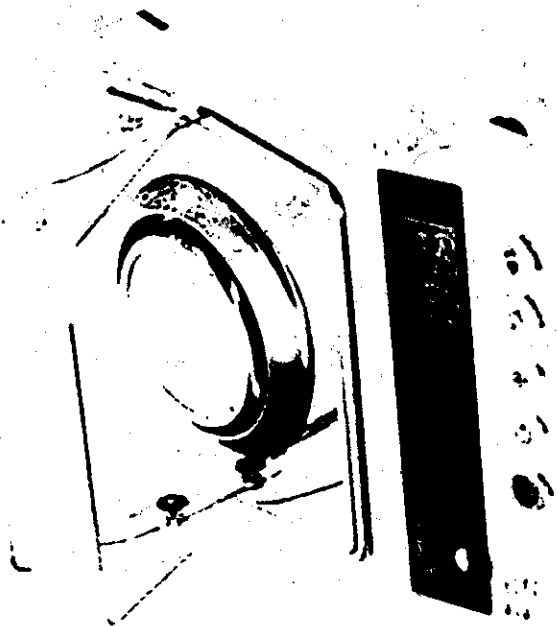


Fig. 2 Schematic diagram of sealing provision of the model

On the rear side of the indicator, a leaded sealing wire is fastened through two bored screws, passing over the cover and bracket, for receiving the verifications tamp and seal. The indicator can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg with verification scale interval (n) in the range of 50,000 or above for 'e' value of 1mg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (69)/2009]

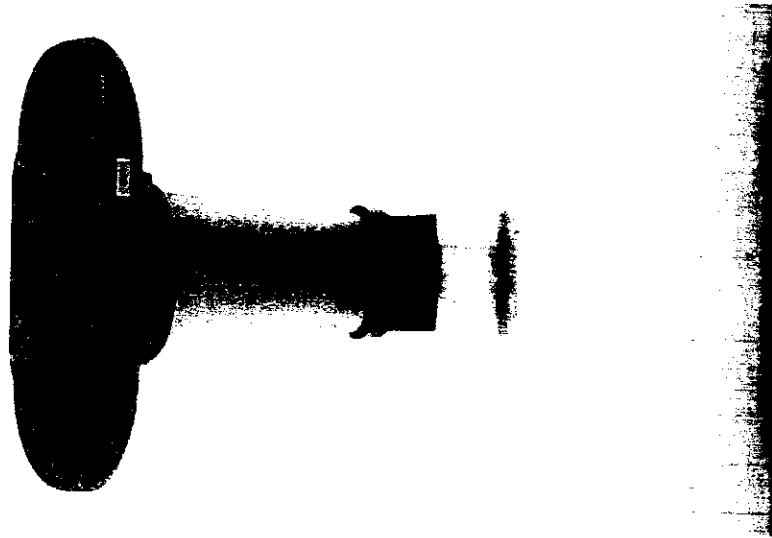
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 21 अप्रैल, 2009

का.अ. 1647—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने क पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स इशिदा इंडिया प्रा.लि., 191 ग्राउंड फ्लोर, उद्योग विहार फेज- IV, गुडगांव-122016 (हरियाणा) द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले "आई टी-II" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटाप टाइप-बैच स्केल) के मॉडल का, जिसके ब्रांड का नाम "ISHIDA" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/09/161 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप टाइप-बैच स्केल) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 50 ग्रा. है। सत्यापन मापमान अंतराल (ई) 1 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। लिक्विड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

स्टाम्प और सीलिंग के सत्यापन के लिए इंडीकेटर के पिछली तरफ कवर और ब्रैकेट में से निकालते हुए लीडिड सील वायर को दो छेद स्कू में कस कर बाँध दिया जाता है। उपकरण को सील से छेड़छाड़ किए बिना नहीं खोला जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के "ई" मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$ के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यूएम-21 (69)/2009]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 21st April, 2009

S.O. 1647 — Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type-Bench Scale) with digital indication of high accuracy (Accuracy class-II) of Series "IT-II" and with brand name "ISHIDA" (hereinafter referred to as the said model), manufactured by M/s. Ishida India Pvt. Ltd., 191-Ground Floor, Udyog Vihar, Phase-IV, Gurgaon-Haryana-122 016 and which is assigned the approval mark IND/09/09/161;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type-Bench Scale) with a maximum capacity of 30kg and minimum capacity of 50g. The verification scale interval (e) is 1g. It has a tare device with a 100 percent subtractive retained tare effect. The liquid crystal diode (LCD) display indicates the weighing result. The instrument operates on 230Volts, 50 Hertz alternative current power supply.

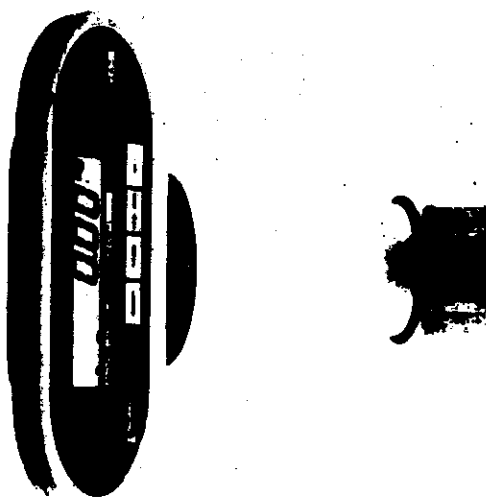


Fig.-2 Schematic diagram of sealing provision of the model

On the rear side of the indicator, a leaded sealing wire is fastened through two bored screws, passing over the cover and bracket, for receiving the verification stamp and seal. The indicator can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg with verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1mg to 50mg and with verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (69)/2009]

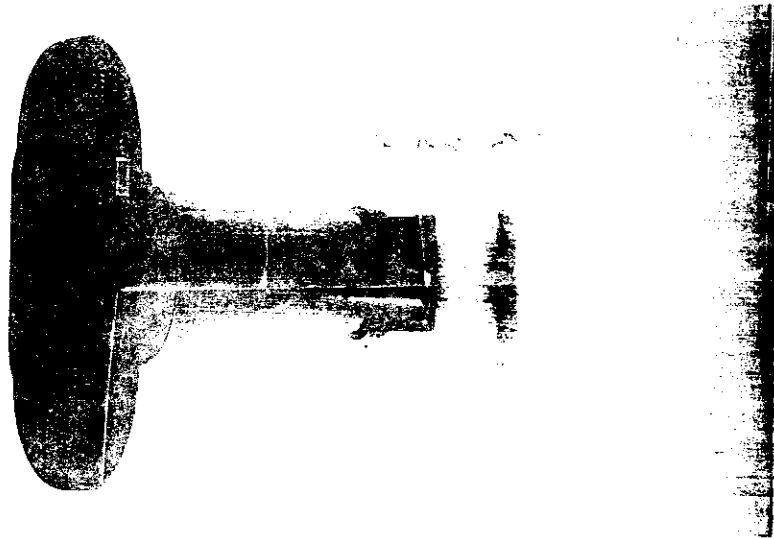
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 21 अप्रैल, 2009

का.आ. 1648.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर लिखा करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुकूल है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स इशिदा इंडिया प्रा. लि., 191 ग्राउंड फ्लोर, उद्योग विहार फेज-IV, गुडगांव-122006 (हरियाणा) द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "आई टी-III" शृंखला के संकेतक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटॉप टाइप-बैच स्केल) के मॉडल का, जिसके ब्रांड का नाम "ISHIDA" है (जिसके इससे इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/09/162 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटॉप टाइप-बैच स्केल) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्राम है। सत्यापन मापमान अंतराल (एन) 1 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। लिक्विड क्रिस्टल डायोड (एल.सी.डी.) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रणाली पर कार्य करता है।



आकृति-2 उपकरण को सीलिंग करने का योजनाबद्ध आरेख

स्ट्याम्प और सीलिंग के सत्यापन के लिए इंडेकटर के पिछले तरफ ऊपर और ब्रेकट में एक निक्कातले गुरु लीडिड सील वायर को दो छेद स्कू में कस कर बाँध दिया जाता है। उपकरण को सील से छुड़ाई किए बिना नहीं खोला जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में फेलिब्रेशन के लिए बाहरी पहुंच है। बाहरी फेलिब्रेशन तक पहुंच को रोका जा सकता है/सी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 , 5×10^3 हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यूएम-21 (69)/2009]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 21st April, 2009

S.O. 1648 —. Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of Non-Automatic Weighing Instrument (Table top type-Bench Scale) with digital indication of medium accuracy (Accuracy class-III) of Series "IT-III" and with brand name "ISHIDA" (hereinafter referred to as the said model), manufactured by M/s. Ishida India Pvt. Ltd., 191-Gronnd Floor, Udyog Vihar, Phase-IV, Gurgaon-Haryana-122 016 which is assigned the approval mark IND/09/09/162;

The said model is a strain gauge type load cell based Non- Automatic Weighing Instrument (Table top type-Bench Scale) with a maximum capacity of 30kg and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 percent subtractive retained tare effect. The liquid crystal diode (LCD) display indicates the weighing result. The instrument operates on 230Volts, 50 Hertz alternative current power supply.

Figure — 1 model



Figure 2 Schematic diagram of sealing provision of the model.

On the rear side of the indicator, a leaded sealing wire is fastened through two bored screws, passing over the cover and bracket, for receiving the verification stamp and seal. The indicator can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above..

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg to 2g and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (69)/2009]

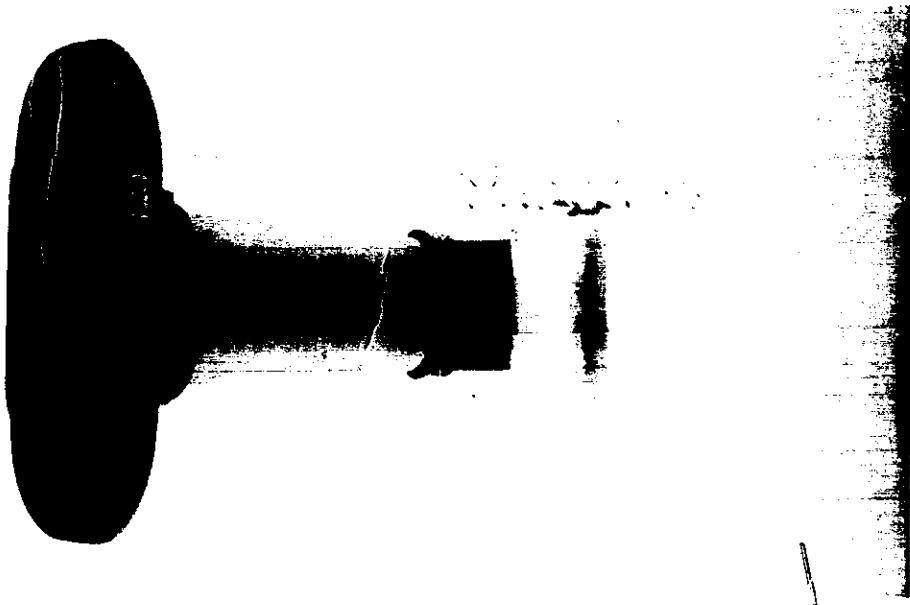
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 21 अप्रैल, 2009

का.आ. 1649.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स इशिदा इंडिया प्रा.लि., 191 ग्राउंड फ्लोर, उद्योग विहार फेज-IV, गुडगांव-122016 (हरियाणा) द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले "आई टी पी-II" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "ISHIDA" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन.डी/09/09/163 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) है। इसकी अधिकतम क्षमता 150 कि.ग्रा. और न्यूनतम क्षमता 250 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। वैक्यूम फ्लोरसेंट डायोड (वी एफ डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

स्टाम्प और सीलिंग के सत्यापन के लिए इंडीकेटर के पिछली तरफ कवर और ब्रैकेट में से निकालते हुए लीडिड सील वायर को दो छेद स्क्रू में कस कर बाँध दिया जाता है। उपकरण को सील छेड़छाड़ किए बिना नहीं खोला जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. से अधिक और 5,000 कि. ग्रा. तक की अधिकतम क्षमता वाले और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$ के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यूएम-21 (69)/2009]

आर. माधुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 21st April, 2009

S.O. 1649 —. Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-Automatic Instrument (Platform type) with digital indication of high accuracy (Accuracy class-II) of Series "ITP-II" and with brand name "ISHIDA" (hereinafter referred to as the said model), manufactured by M/s. Ishida India Pvt. Ltd., 191-Ground Floor, Udyog Vihar, Phase-IV, Gurgaon-Haryana-122 016 and which is assigned the approval mark IND/09/09/163;

The said model is a strain gauge type load cell based non-automatic weighing Instrument (Platform type) with a maximum capacity of 150kg and minimum capacity of 250g. The verification scale interval (e) is 5g. It has a tare device with a 100 percent subtractive retained tare effect. The Vacuum Fluorescent Diode (VFD) indicates the weighing results. The instrument operates on 230Volts, 50 Hertz alternative current power supply.

Figure — 1 model

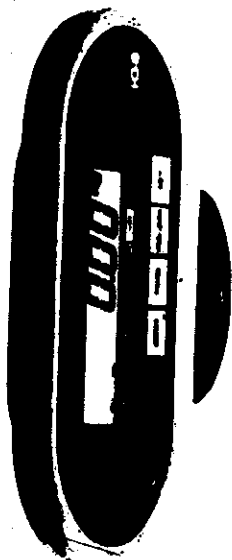


Figure 2 Sealing Diagram

On the rear side of the indicator, a leaded sealing wire is fastened through two bored screws, passing over the cover and bracket, for receiving the verification stamp and seal. The indicator can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg. and up to 5000 kg. with verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg. or more and with 'e' value of 1×10^k , 2×10^k , 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (69)/2009]

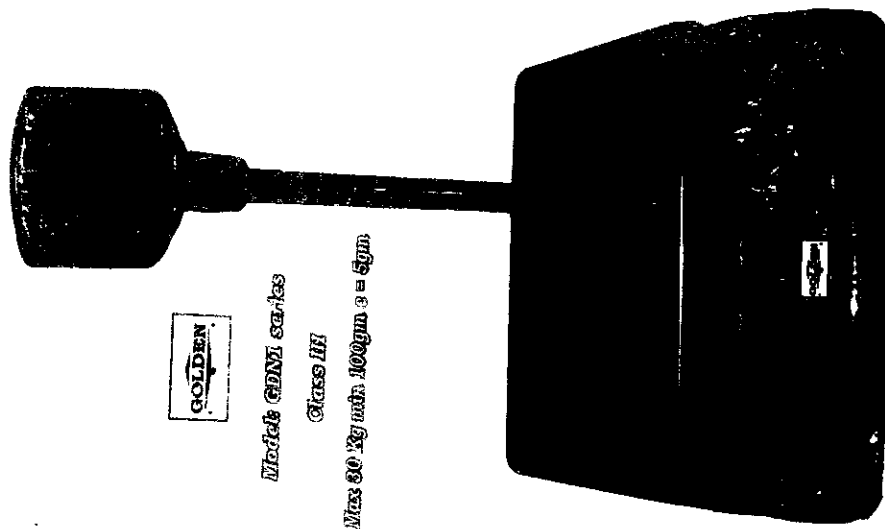
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 21 अप्रैल, 2009

का.आ. 1650.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम (1976) (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स टी. सी. आई. क्यूपमेंट्स, 4/28-19 सी, वेंकटास्वामी ले आउट, अलगू नगर, कुरुची, सुन्दरपुरम, कोयम्बतूर-641 024 (तमिलनाडू) द्वारा विनिर्मित मध्यम यथाशक्ती (यथार्थता वर्ग III) वाले "जोडोएन-1" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "GOLDEN" है (जिसमें इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/09/49 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भा. सेल आधारित अस्वचालित (टेबलटाप प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक भारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 सीलिंग प्रावधान

इंडीकेटर के दाईं तरफ से ऊपरी कवर और निचली प्लेट को काटकर दो छेद किए गए हैं। इन दो छेदों को सत्यापन स्टाम्प और सील प्राप्त करने के लिए लीड तार से जोड़ा गया है। उपकरण को सील के छेड़छाड़ किए बिना नहीं खोला जा सकता।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्राम तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 30 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 , 5×10^3 के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (10)/2009]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 21st April, 2009

S.O. 1650. — Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic instrument (Table top type) with digital indication of medium accuracy (Accuracy class-III) of Series "GDN-I" and with brand name "GOLDEN" (hereinafter referred to as the said model), manufactured by M/s. T.C.I. Equipments, 4/28-19C, Venkatasamy Lay-out, Alagu Nagar, Kuruchi, Sundarapuram, Coimbatore-641 024 (T.N.) which is assigned the approval mark IND/09/09/49;

The said model is a strain gauge type load cell based non-automatic weighing Instrument (Table top type) with a maximum capacity of 30kg and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing results. The instrument operates on 230Volts, 50 Hertz alternative current power supply.

Figure — 1 model

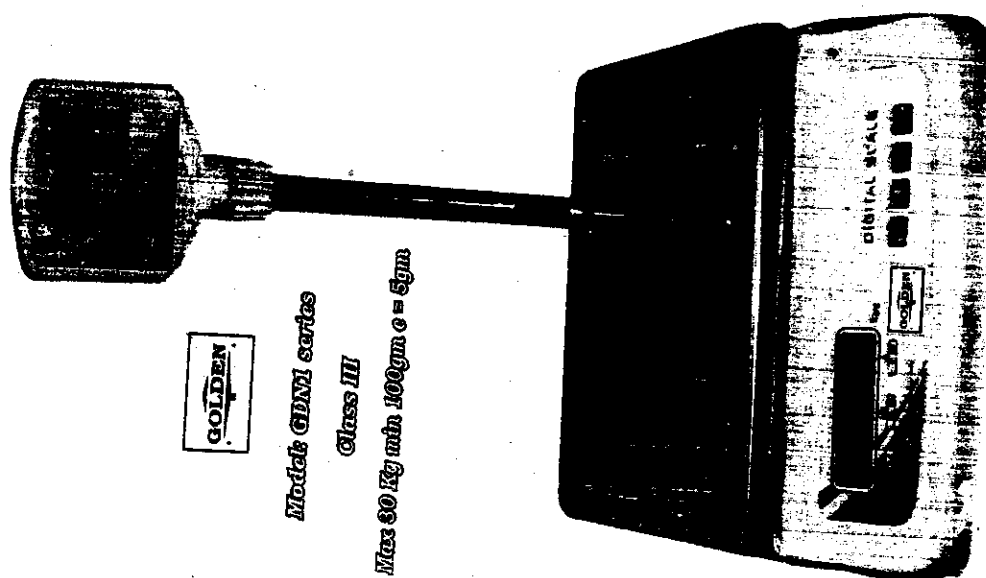


Figure-2 : Schematic diagram of sealing provision of the model

From the right side of the indicator two holes are made by cutting the upper cover and bottom plate. These two holes are fastened by a leaded wire for receiving the verification stamp and seal. The indicator can not be opened without tampering the seal.

The instrument has external access to calibration. A dip switch has also been provided in A/D card/ mother board to disable access to external calibration. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50kg with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg to 2g and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5mg or more and with 'e' value of 1x10k, 2x10k, or 5x10k, where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (10)/2009]

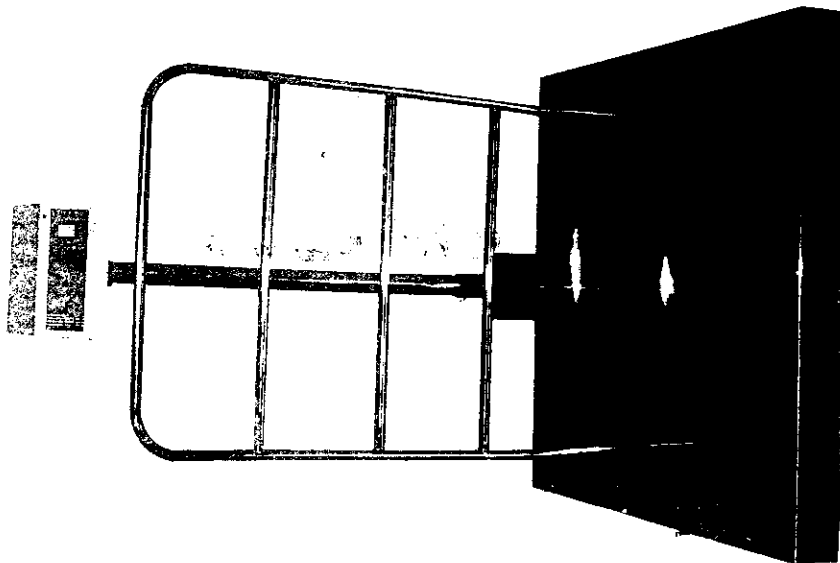
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 21 अप्रैल, 2009

का.अ.1651.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अध. केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स टी.सी.आई.इक्यूपमेंट्स, 4/28-19 सी, वेंकटास्वामी ले आउट, अलगू नगर, कुरुची, सुन्दरपुरम, कोयम्बटूर-641 024 (तमिलनाडु) द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "जेडीएन-II" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "गोल्डन" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/09/50 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (प्लेटफार्म प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. और न्यूनतम क्षमता 4 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 200 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 सीलिंग प्रावधान

इंडीकेटर के दाईं तरफ से ऊपरी कवर और निचली प्लेट को काटकर दो छेद किए गए हैं। इन दो छेदों को सत्यापन स्टाम्प और सील प्राप्त करने के लिए लीड तार से जोड़ा गया है। उपकरण को सील के छेड़छाड़ किए बिना नहीं खोला जा सकता।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. से अधिक और 5,000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^6 , 2×10^6 , 5×10^6 के हैं, जो घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू.एम-21 (10)/2009]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 21st April, 2009

S.O. 1651.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-Automatic Weighing Instrument (Plate form type) with digital indication of medium accuracy (Accuracy class-III) of Series "GDN-2" and with brand name "GOLDEN" (hereinafter referred to as the said model), manufactured by M/s. T.C.I. Equipments, 4/28-19-C, Venkatasamy Layout, Alagu Nagar, Kuruchi, Sundarapuram, Coimbatore-641 024 (T.N.) and which is assigned the approval mark IND/09/09/50;

The said model is a strain gauge type load cell based non-automatic weighing Instrument (Platform type) with a maximum capacity of 1000kg and minimum capacity of 4 kg. The verification scale interval (e) is 200g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230Volts, 50 Hertz alternative current power supply.

Figure — 1 Model

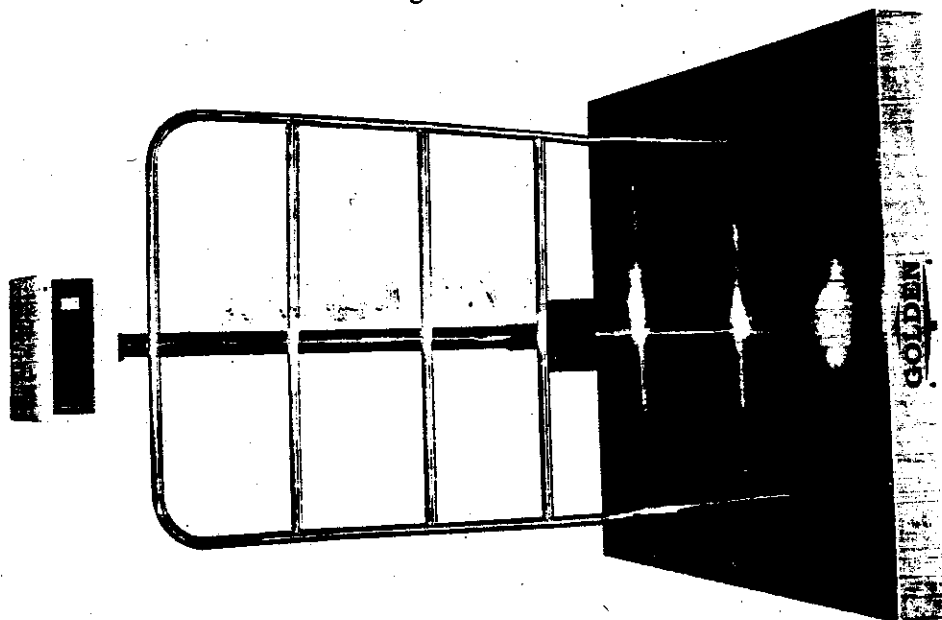


Figure-2 Sealing provision of the indicator of model.

From the right side of the platform indicator two holes are made by cutting the upper cover and bottom plate. These two holes are fastened by a leaded wire for receiving the verification stamp and seal. The indicator can not be opened without tampering the seal.

The instrument has external access to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg and up to 5000kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5mg or more and with 'e' value of 1×10^k , 2×10^k , 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (10)/2009]

R. MATHURBOOTHAM, Director of Legal Metrology

भारतीय मानक ब्यूरो

नई दिल्ली, 3 जून, 2009

का.आ. 1652.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम, 1988 के विनियम (5) के उपविनियम (6) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि निम्न विवरण वाले लाइसेंसों को उनके आगे दर्शायी गई तारीख से रद्द/स्थगित कर दिया गया है:-

अनुसूची

| क्रम सं. | लाइसेंस संख्या सीएम/एल- | लाइसेंसधारी का नाम व पता | लाइसेंस के अंतर्गत वस्तु/प्रकम सम्बद्ध भारतीय मानक का शीर्षक | रद्द करने की तिथि |
|----------|----------------------------|--|---|----------------------|
| 1. | 7558894 | मैसर्स विजय लेटक्स प्रोडक्ट प्रा. लि. प्लॉट नंबर 233, जी आई डी सी अंबरगाँव, डिस्ट्रिक्ट वलसाद -396 171 | डिस्पोजेबल सर्जिकल रबर ग्लबस आई एस 13422:1992 | 17-3-2009 |
| 2. | 7558995 | मैसर्स विजय लेटक्स प्रोडक्ट प्रा. लि. प्लॉट नंबर 233, जी आई डी सी अंबरगाँव, डिस्ट्रिक्ट वलसाद -396 171 | सर्जिकल रबर ग्लबस आई एस 4148:1989 | 17-3-2009 |

[सं. सी एम डी /13:13]

पी. के. गम्भीर, उप महानिदेशक (मुहर)

BUREAU OF INDIAN STANDARDS

New Delhi, the 3rd June, 2009

S.O. 1652.—In pursuance of sub-regulation (6) of the regulation 5 of the Bureau of Indian Standards (Certification) Regulations, 1988, of the Bureau of Indian Standards, hereby notifies that the licences particulars of which are given below have been cancelled/suspended with effect from the date indicated against each :-

SCHEDULE

| Sl. No. | Licences No. CM/L- | Name and Address of the Licensee | Article/process with relevant Indian Standards covered by the licence cancelled | Date of Cancellation |
|---------|-----------------------|--|---|-------------------------|
| 1. | 7558894 | Vijay Latex Product Pvt. Ltd. Plot No. 233, GIDC Umbraon, Distt Valsad - 396 171 | Disposable Surgical Rubber Gloves IS 13422: 1992 | 17-3-2009 |
| 2. | 7558995 | Vijay Latex Product Pvt. Ltd. Plot No. 233, GIDC Umbraon, Distt. Valsad -396 171 | Surgical Rubber Gloves IS 4148: 1989 | 17-3-2009 |

[No. CMD/13:13]

P. K. GAMBHIR, Dy. Director General (Marks)

नई दिल्ली, 3 जून, 2009

का.आ.1653.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम, 1988 के नियम 4 के उपविनियम (5) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन लाइसेंसों के विवरण नीचे अनुसूची में दिए गए हैं, वे स्वीकृत कर दिए गए हैं :-

अनुसूची

| क्रम संख्या | लाइसेंस संख्या | स्वीकृत करने की तिथि वर्ष/ माह | लाइसेंसधारी का नाम व पता | भारतीय मानक का शीर्षक | भा मा संख्या | भाग | अनु | वर्ष |
|----------------|-------------------|--------------------------------------|---|-----------------------|-----------------|-----|-----|------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| 1. | 7911379 | 02-03-2009 | हाई डिस्चार्ज सबमर्सिबल पम्प 29, यादव एस्टेट, नवाब एस्टेट के सामने, जी डी रोड, सैजपुर, अहमदाबाद-382345 | सबमर्सिबल पम्प सैट | 8034 | - | - | 2002 |

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
|-----|---------|------------|---|---|-------|---|---|------|
| 2. | 7911783 | 03-03-2009 | शिवा उद्योग बैरर्स प्रा. लि., यूनिट IV, जी आई डी सी प्लाट नंबर 201-204, पालेज इंडस्ट्रियल एरिया एस्टेट, पालेज, भारूच -392220 | ड्रमस लार्ज फिक्स एंड्स ग्रेड बी ड्रमस | 1783 | 2 | - | 1988 |
| 3. | 7912280 | 04-03-2009 | एकसल पम्प इंडस्ट्रीज, डी 1 बी, डायमंड पार्क, गुजरात एग्री इंडस्ट्रीज के सामने, एन एच नंबर 8, जी आई डी सी नरोडा, अहमदाबाद | सबमर्सिबल पम्प सैट | 8034 | - | - | 2002 |
| 4. | 7912482 | 05-03-2009 | मैसर्स एसार स्टील लिमिटेड, 27 के एम, सूरत हजीरा रोड, पी ओ हजीरा, सूरत -394270 | स्टील प्लेट फार प्रेशर वैसल फार इंटरमिडियेट तथा हाई टेम्परेचर सर्विस इंकलूडिंग बायलर | 2002 | - | - | 1992 |
| 5. | 7913282 | 12-03-2009 | श्री आभूषण गेकुल बिल्डिंग, नवा रामजी मंदिर के सामने, आनंद -388001 | स्वर्ण तथा स्वर्ण मिश्र धातुओं के आभूषणों शिल्पकारी शुद्धता एवं मुहरांकन | 1417 | - | - | 1999 |
| 6. | 7913787 | 16-03-2009 | एमिको एलिकोन इलैक्ट्रिकल लिमिटेड, आनंद सोजितरा रोड, वल्लभ विद्यानगर, आनंद -388120 | फलेमप्रुफ एनकलोसरस फार इलैक्ट्रिकल एपरेटस | 2148 | - | - | 2004 |
| 7. | 7917088 | 19-03-2009 | निहिर पालिमर्स इंडस्ट्रीज, 809, कोठारी इंडस्ट्रियल एस्टेट स्तेज, ता: कलोल; गांधीनगर -382721 | फिटिंग फार रिजिड नान मैटलिक कांडयूट | 3419 | - | - | 1988 |
| 8. | 7914890 | 20-03-2009 | एकांक केबल लिमिटेड 15, जी आई डी सी, मंजूसर, बड़ोदा, सावली- 391775 | क्रासलिकड पालिथिलिन इंसुलेटिड पी वी सी शीथड केबल | 7098 | 1 | - | 1988 |
| 9. | 7915185 | 20-03-2009 | एकांक केबल लिमिटेड 15, जी आई डी सी, मंजूसर, बड़ोदा, सावली-391775 | एरियल बंचड केबल | 14255 | - | - | 1995 |
| 10. | 7915791 | 21-03-2009 | नानालाल ज्वैलर्स, 6, 795 से 798, मोटा बाजार, नवसारी-396445 | स्वर्ण तथा स्वर्ण मिश्र धातुओं के आभूषणों शिल्पकारी शुद्धता एवं मुहरांकन | 1417 | - | - | 1999 |
| 11. | 7916187 | 23-03-2009 | सूजल पम्प 54/55, विष्णु एस्टेट, रघुनाथ स्कूल के सामने, एल बी एस रोड, बापूनगर, अहमदाबाद | सबमर्सिबल पम्प सैट | 8034 | - | - | 2002 |
| 12. | 7917391 | 26-03-2009 | हजीरा पाईप मिल लिमिटेड 27 के एम, हजीरा रोड, मार्शलिंग यार्ड के पास, पी ओ हजीरा, सूरत- 394270 | स्टील पाईप फार वाटर तथा सिवेज | 3589 | - | - | 2001 |
| 13. | 7917492 | 26-03-2009 | मसकट पम्प लिमिटेड 13, जी आई डी सी फेस 1, नरोडा, अहमदाबाद -383330 | ओपन चैल सबमर्सिबल पम्पसैट | 14220 | - | - | 1994 |

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
|-----|---------|------------|---|-------------------------------------|-------|---|---|------|
| 14. | 7918191 | 30-03-2009 | अंबिका आयरन तथा स्टील री-रोलिंग मिल, सर्वे नंबर 261, विसनगर मेहसाना रोड, गाँव सावाला, ता. विसनगर, मेहसाना 384 001 | स्टील फार जनरल स्टकचरल परपस | 2062 | - | - | 1999 |
| 15. | 7918292 | 30-03-2009 | ओम बिबरेज, 8 व 9, सरदार एस्टेट, रिलायेंस पम्प के सामने, इसनपुर नारोल हाइवे, अहमदाबाद-382 405 | पैकेजबंद पेयजल | 14543 | - | - | 2004 |
| 16. | 7918393 | 30-03-2009 | पमा इंडस्ट्रीज ढोलका, ढोलका सरखेज रोड, अहमदाबाद | पैकेजबंद पेयजल | 14543 | - | - | 2004 |
| 17. | 7918595 | 30-03-2009 | शिवा उद्योग बैरर्स प्रा. लि., यूनिट IV जी आई डी सी प्लाट नंबर 201-204, पालेज इंडस्ट्रियल एरिया, एस्टेट, पालेज, भारूच 392 220 | बिटुमन ड्रम | 3575 | - | - | 1993 |
| 18. | 7918696 | 30-03-2009 | विराट बांड गुजरात सीमेंट प्रा. लि., ब्लाक नंबर 683, एट मंजूसर बड़ोदा सावला रोड, ताल्लुका : सावली, डिस्ट्रिक्ट बड़ोदा, गुजरात | 43 ग्रेड आडिनरी पोर्टलैंड सीमेंट | 8112 | - | - | 1989 |
| 19. | 7918797 | 30-03-2009 | विराट बांड गुजरात सीमेंट प्रा. लि., ब्लाक नंबर 683, एट मंजूसर बड़ोदा सावला रोड, ताल्लुका : सावली, डिस्ट्रिक्ट बड़ोदा, गुजरात | 53 ग्रेड आडिनरी पोर्टलैंड सीमेंट | 12269 | - | - | 1987 |
| 20. | 7918801 | 30-03-2009 | ईवा हैल्थ केयर तथा बिबरेज एट वाडू, ताल्लुका पादरा, बड़ोदा | पैकेजबंद पेयजल | 14543 | - | - | 2004 |
| 21. | 7919193 | 31-03-2009 | गोरस डेरी प्रोडक्ट, ब्लाक नंबर 89, पी. सर्वे नंबर 895, न्यू अरविंद मिल के सामने, एट खतराज, ता : कलोल, गांधीनगर-382 761 | पैकेजबंद पेयजल | 14543 | - | - | 2004 |
| 22. | 7919294 | 31-03-2009 | गुजरात वुड प्रोडक्ट, ब्लाक नंबर 104, किम चार रस्ता के पास, गाँव पालोड, ताल्लुका मंगरोल, सूरत | प्लाईवुड फार जनरल परपस | 303 | - | - | 1989 |
| 23. | 7919395 | 31-03-2009 | देसाई कार्पोरेशन, प्लाट नंबर 38/39, नवसारी इंडस्ट्रियल एस्टेट, नवसारी | पैकेजबंद पेयजल | 14543 | - | - | 2004 |
| 24. | 7919496 | 31-03-2009 | ए वी पटेल मिनरल इंडस्ट्रीज, एट पोस्ट नादिसर, एट ताल्लुका गोधरा, पंचमहल-389 001 | पैकेजबंद पेयजल | 14543 | - | - | 2004 |
| 25. | 7919601 | 31-03-2009 | दमनगंगा फूड तथा बिबरेज, गाला नंबर 4, प्लाट नंबर 136/ एफ/2, दूसरा फेस, युनियन एंटरप्राईस, जी आई डीसी वापी, ताल्लुका पारडी, वलसाद, गुजरात | पैकेजबंद पेयजल | 14543 | - | - | 2004 |

| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) | (9) |
|-----|---------|------------|--|---|-------|-----|-----|------|
| 26. | 7919702 | 31-03-2009 | मैसर्स मन बिजनेज प्लॉट नंबर 50, गुरुकृपा इंडस्ट्रीज सोसाइटी, सफारी कॉम्प्लेक्स के पीछे, बेसटन सूरत | पैकेजबंद पेयजल | 14543 | - | - | 2004 |
| 27. | 7919803 | 31-03-2009 | मैसर्स मीनाक्षी एंटरप्राइस 34, नारायण एस्टेट, सी एम सी के पास, श्रीराम इंडस्ट्रियल एस्टेट के सामने, ओडव अहमदाबाद | पी वी सी इंसुलेटिड केबल | 694 | - | - | 1990 |
| 28. | 7920279 | 31-03-2009 | मैसर्स पंचरत्ना ज्वेलर्स प्रा.लि. 2, टाइम स्कवेयर, लाल बंगला के पास, सी जी रोड, अहमदाबाद | स्वर्ण तथा स्वर्ण मिश्र धातुओं के आभूषणों शिल्पकारी शुद्धता एवं मुहरांकन | 1417 | - | - | 1999 |
| 29. | 7920380 | 31-03-2009 | नानालाल एन चोकसी 4/672, मोटा बाजार पी ओ नवसारी-396445 | स्वर्ण तथा स्वर्ण मिश्र धातुओं के आभूषणों शिल्पकारी शुद्धता एवं मुहरांकन | 1417 | - | - | 1999 |
| 30. | 7920885 | 31-03-2009 | श्री कृष्णा एंटरप्राइस एल 2108, रोड नंबर 2, बाईं तरफ, जी आई डी सी सचिन सूरत | पैकेजबंद पेयजल | 14543 | - | - | 2004 |

[सं. सीएमडी/13:11]

पी. के. गम्भीर, उपमहानिदेशक (मुहर)

New Delhi, the 31st June, 2009

S.O.1653.—In pursuance of sub-regulation (5) of the regulation 4 of the Bureau of Indian Standards (Certification) Regulations 1988, of the Bureau of Indian Standards, hereby notifies the grant of licences particulars of which are given in the following schedule :

SCHEDULE

| Sl. No. | Licences No. | Grant Date | Name and Address of the party | Title of the Standard | IS No. | Part | Sec | Year |
|---------|--------------|------------|--|--|--------|------|-----|------|
| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) | (9) |
| 1. | 7911379 | 02-03-2009 | High Discharge Submersible Pump, 29, Yadav Estate, Opp. Navab Estate, G.D. Road, Saijpur, Ahmedabad-382345 | Submersible Pumpsets | 8034 | - | - | 2002 |
| 2. | 7911783 | 03-03-2009 | Shiva Udyog Barrels Pvt. Limited-Unit IV G.I.D.C., Plot No. 201-204, Palej Industrial Area Estate, Palej, Bharuch-392220 | Drums, large fixed ends, Grade B drums | 1783 | 2 | - | 1988 |
| 3. | 7912280 | 05-03-2009 | Excel Pump Industries D-1/B Diamond Park, Opp. Gujarat Agro Ind. N.H. NO. 8, G.I.D. C. Naroda, Ahmedabad | Submersible Pumpsets | 8034 | - | - | 2002 |

| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) | (9) |
|-----|---------|------------|---|--|-------|-----|-----|------|
| 4. | 7912482 | 05-03-2009 | Essar Steel Ltd. 27 KM, Surat-Hazira Road, P.O. Hazira, Surat-394270 | Steel plates for pressure vessels for intermediate & high temperature service including boilers | 2002 | - | - | 1992 |
| 5. | 7913282 | 12-03-2009 | Shree Abhushan Gokul Building, Opp. Nava Ramji Mandir, Anand-388001 | Gold and Gold Alloys, Jewellery/Artefacts- Fineness and Marking | 1417 | - | - | 1999 |
| 6. | 7913787 | 16-03-2009 | Eimco Elecon Electricals Limited, Anand Sojitra Road, Vallabh Vidyanagar, Anand, 388120 | Flame proof enclosures for electrical apparatus | 2148 | - | - | 2004 |
| 7. | 7917088 | 19-03-2009 | Nihir Polymers Industries 809, Kothari Industrial Estate Santej, TA-Kalol, Gandhi Nagar-382721 | Fittings for rigid non- metallic conduits | 3419 | - | - | 1988 |
| 8. | 7914890 | 20-03-2009 | Ekank Cables Limited 15, GIDC, Savli Manjusr Vadodara- 391775 | Crosslinked polyethylene insulated PVC sheathed cables | 7098 | 1 | - | 1988 |
| 9. | 7915185 | 20-03-2009 | Ekank Cables Limited 15, GIDC, Savli Manjusr Vadodara- 391775 | Aerial Bunched Cables | 14255 | - | - | 1995 |
| 10. | 7915791 | 21-03-2009 | Nanalal Jewellers 6, 795 to 798, Mota Bazar, Navsari, 396445 | Gold and Gold Alloys, Jewellery/Artefacts- Fineness and Marking | 1417 | - | - | 1999 |
| 11. | 7916187 | 23-03-2009 | Sujal Pumps 54/55, Vishnu Estate, Opp. Raghunath School, LBS Road, Bapunagar, Ahmedabad | Submersible Pump Sets | 8034 | - | - | 2002 |
| 12. | 7917391 | 26-03-2009 | Hazira Pipe Mill Limited 27KM, Hazira Road, Near Marshalling Yard, P.O.-Hazira, Surat- 394270 | Steel Pipes for Water and Sewage | 3589 | - | - | 2001 |
| 13. | 7917492 | 26-03-2009 | Mascot Pump Ltd. 13, GIDC, Phase-I, Naroda, Ahmedabad-383330 | Openwell Submersible Pumpsets | 14220 | - | - | 1994 |
| 14. | 7918191 | 30-03-2009 | Ambica Iron & Steel Re- Rolling Mills, Servey No. 261, Visnagar-Mehsana Road, Village Savala, TA, Visnagar Mehsana-384001 | Steel for General Structural Purposes | 2062 | - | - | 1999 |
| 15. | 7918292 | 30-03-2009 | Aum Beverages 8 & 9, Sardar Estate, Opp. Reliance Petrol Pump, Isanpur-Narol Highway, Ahmedabad- 382405 | Packaged Drinking Water | 14543 | - | - | 2004 |
| 16. | 7918393 | 30-03-2009 | Pamma Industries Dholka, Dholka-Sarkhej Road, Dist Ahmedabad | Packaged Drinking Water | 14543 | - | - | 2004 |
| 17. | 7918595 | 30-03-2009 | Shiva Udyog Barrels Pvt. Limited-Unit IV G.I.D.C., Plot No. 201-204, Palej Industrial Area Estate, Palej, Bharuch-392220 | Bitumen drums | 3575 | - | - | 1993 |

| (1) | (2) | (3) | (4) | (5) | | | | |
|-----|---------|------------|--|--|-------|---|---|------|
| 18. | 7918696 | 30-03-2009 | Virant Bond (Gujarat) Cement Pvt. Ltd., Block No. 683, At. Manjusar, Baroda Savli Road, Taluka Savli, Dist Baroda (Guj) | 43 grade ordinary Port-land cement | 8112 | - | - | 1989 |
| 19. | 7918797 | 30-03-2009 | Virant Bond (Gujarat) Cement Pvt. Ltd., Block No. 683 AT. Manjusar Baroda Savli Road, Taluka Savli Dist Baroda (Guj) | 53 grade ordinary Port-land cement | 12269 | - | - | 1987 |
| 20. | 7918801 | 30-03-2009 | Eva Health Care & Beverages At-Vachu, Taluka-Padra, Vadodara | Packaged Drinking Water | 14543 | - | - | 2004 |
| 21. | 7919193 | 31-03-2009 | Goras Dairy Products, Block No. 89, P Sarve No. 895, Opp. New Arvind Mill, At Khatraj, T.A. Kalol, Dist: Gandhi Nagar. 382 761 | Packaged Drinking Water | 14543 | - | - | 2004 |
| 22. | 7919294 | 31-03-2009 | Gujarat Wood, Products, Block No. 104, Near Kim Char Rasta, Village Palod, Taluka Mangrol, Surat, 394 110 | Plywood for general purposes | 303 | - | - | 1989 |
| 23. | 7919395 | 31-03-2009 | Desai Corporation, Plot No. 38/39, Navsari Industrial Estate, Navsari, Gujarat-396 424 | Packaged Drinking Water | 14543 | - | - | 2004 |
| 24. | 7919496 | 31-03-2009 | A V Patel Mineral Industries, At Post Nadisar, At Taluka-Godhra, Panchmahal-389 001 | Packaged Drinking Water | 14543 | - | - | 2004 |
| 25. | 7919601 | 31-03-2009 | Damanganga Foods & Beverages, Gala No. 4, Plot. No. 136/F/2, Second Phase, Union Enterprises, G.I.D.C. Vapi, Taluka Pardi, Valsad, Gujarat | Packaged Drinking Water | 14543 | - | - | 2004 |
| 26. | 7919702 | 31-03-2009 | Mann Beverages, Plot No. 50, Guru Krupa Ind. Society, B/H Safari Complex, Bhestan, Surat | Packaged Drinking Water | 14543 | - | - | 2004 |
| 27. | 7919803 | 31-03-2009 | Minaxi Enterprises, 34, Narayan Estate, Near C.M.C., Opp. Shri Ram Industrial Estate, Odhav, Ahmedabad | PVC Insulated Cables | 694 | - | - | 1990 |
| 28. | 7920279 | 31-03-2009 | Panchratna Jewellers Pvt. Ltd., 2, Time Square, Near Lal Bungalow, C.G. Road, Ahmedabad | Gold and Gold Alloys, Jewellery/Artefacts-Fineness and Marking | 1417 | - | - | 1999 |
| 29. | 7920380 | 31-03-2009 | Nanalal N. Choksi, 4/672, Motabazar, P.O. Navsari-396 445 | Gold and Gold Alloys, Jewellery/Artefacts-Fineness and Marking | 1417 | - | - | 1999 |
| 30. | 7920885 | 31-03-2009 | Shree Krishna Enterprises, L-2108, Road No. 2, Left Side, G.I.D.C. Sachin, Surat | Packaged Drinking Water | 14543 | - | - | 2004 |

[No. CMD/13:11]

P. K. GAMBHIR, Dy. Director General (Marks)

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 9 जून, 2009

का. आ. 1654.—केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 2 के खण्ड (क) के अनुसरण में, तारीख 15 सितम्बर, 2007 में प्रकाशित, भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का०आ० 2594 तारीख 05 सितम्बर, 2007 में निम्नलिखित रूप से संशोधन करती है, अर्थात् :-

उक्त अधिसूचना की अनुसूची के स्तम्भ 1 में, "श्री एल. वेंकटसुबैया, डेपुटी कलेक्टर", शब्दों के स्थान पर "श्रीमति रजिया बेगम, स्पेशल डेपुटी कलेक्टर", शब्द रखे जाएंगे।

[फा. सं. आर-25011/10/2006-ओ.आर.-1]

बी. के. दत्ता, अवर सचिव

Ministry of Petroleum and Natural Gas
New Delhi, the 9th June, 2009

S. O. 1654.—In pursuance of clause (a) of Section 2 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 2594 dated the 05th September, 2007, published in the Gazette of India on the 15th September, 2007, namely :-

In the said notification, in the Schedule, in column 1, for the words, "Shri L. Venkata Subbaiah, Deputy Collector", the words, "Smt. Razia Begam, Special Deputy Collector", shall be substituted.

[F. No. R-25011/10/2006-O.R.-1]

B. K. DATTA, Under Secy.

नई दिल्ली, 9 जून, 2009

का. आ. 1655.—केन्द्रीय सरकार ने पेट्रोलियम और प्राकृतिक गैस मंत्रालय के का.आ.स. 2362 दिनांक 6 अगस्त, 2008 एवं का.आ.स. 3343 दिनांक 3 दिसम्बर, 2008 द्वारा पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन अधिसूचना प्रकाशित कर 'कोट पम्पिंग स्टेशन से कोटड़ी टर्मिनल स्टेशन तक' अपरिष्कृत तेल परिवहन के लिए उक्त अधिसूचना में विनिर्दिष्ट तहसील बाली जिला पाली राजस्थान राज्य की भूमि अधिसूचित की थी।

और उक्त अधिसूचना की प्रतियां जनता को दिनांक 19.02.2009 से 25.02.2009 तक उपलब्ध करवा दी गई थी।

और उक्त अधिनियम की धारा 6 की उप-धारा (1) के अनुसरण में सक्षम प्राधिकारी राजस्थान ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है।

और, केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात इस अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट भूमि में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए घोषणा करती है कि इस अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के उपयोग का अधिकार अर्जित किया जाता है ।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय सभी वित्तलंगमों से मुक्त होकर इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा ।

अनुसूची

| क्र. सं. | राज्य | जिला | तहसील | ग्राम | खसरा सं. | क्षेत्रफल | | |
|----------|----------|------|-------|---------|-----------|-----------|-----|----------|
| | | | | | | हेक्टेयर | एयर | वर्गमीटर |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| 1 | राजस्थान | पाली | बाली | भीटवाडा | 90 | 0 | 1 | 53 |
| | | | | | 86 / 1458 | 0 | 11 | 88 |
| | | | | | 85 | 0 | 11 | 27 |
| | | | | | 674 | 0 | 21 | 60 |
| | | | | | 670 | 0 | 1 | 03 |
| | | | | | 131 | 0 | 12 | 74 |

[फा. सं. आर-25011/8/2006-ओ.आर.-I]

बी. के. दत्ता, अवर सचिव

New Delhi, the 9th June, 2009

S. O. 1665.—Whereas by a notification of the Government of India, Ministry of Petroleum and Natural Gas S.O. Number 2362 dated 6.8.08 and SO No. 3343 dated 03.12.2008 issued under Sub-Section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of user in Land) Act, 1962 (50 of 1962) (Headquarter referred as the said Act) the Central government declared its intention to acquire the right of user in the land in Tehsil Bali, Distt Pali in the state of Rajasthan, specified in the Schedule appended to that notification of the purpose of laying pipeline for the transportation of Crude Oil from KOT pumping Station to Kotadi Terminal Station in the state of Rajasthan, a pipeline should be laid by the Indian Oil Corporation Limited for implementing the Augmentation of Mundra-Panipat Pipeline System.

And whereas, copies of the said gazette notification was made available to the general public on the 19.02.2009 to 25.02.09.

And whereas, the competent Authority has, under sub-section (1) of section 6 of the said Act, Submitted his report to the Central Government.

And whereas, the Central Government, after considering the said report is satisfied that right of user in the land specified in the schedule appended to this Notification should be acquired.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central government hereby declares that the right of user in the land specified in the schedule appended to this notification is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central government hereby directs that the right of user in the said land shall instead of vesting in the Central Government vests from the date of publication of this declaration in the Indian Oil Corporation Limited free from all encumbrances

SCHEDULE

| Sr. No. | Stage | District | Tehsil | Village | Survey/ Plot No. | Area | | |
|---------|-----------|----------|--------|----------|---------------------|--------|------|-----------|
| | | | | | | Hectre | Area | Sq. Meter |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| 1 | Rajasthan | Pali | Bali | Bhitwara | 90 | 0 | i | 53 |
| | | | | | 86/1458 | 0 | 11 | 88 |
| | | | | | 85 | 0 | 11 | 27 |
| | | | | | 674 | 0 | 21 | 60 |
| | | | | | 670 | 0 | 01 | 03 |
| | | | | | 131 | 0 | 12 | 74 |

[F. No. R-25011/8/2008-O.R.-I]
B. K. DATTA, Under Secy.

सं दिनांक, 9 जून, 2009

~~सं. सं. 25011/8/2008~~ केन्द्रीय सरकार ने पेट्रोलियम और प्राकृतिक गैस भण्डारण के का.आ. 2072 दिनांक 24.07.2008, द्वारा पेट्रोलियम और गैस पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे उसके पश्चात् उक्त अधिनियम कहा जायगा) की धारा 3(1) के अधीन अधिमूचना प्रकाशित कर, राजस्थान राज्य के जिला भरतपुर के रूथ राह गांव से राजस्थान राज्य के जिला भरतपुर के जधीना गांव में स्थित भरतपुर मार्केटिंग टर्मिनल तक मथुरा भरतपुर पेट्रोलियम उत्पाद परिवहन के लिए इण्डियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा "पेट्रोलियम और गैस पाइपलाइन्स" के मध्य में उक्त अधिमूचना से संलग्न अनुसूची में निर्दिष्ट तहसील कुम्हेर और भरतपुर जिला भरतपुर (राजस्थान राज्य) की भूमि में उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी।

और, उक्त अधिमूचना की प्रतियां जनता को दिनांक 10-12-2008 से 22-12-2008 को उपलब्ध करा दी गई थी,

और, उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम अधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है।

और केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिमूचना से उपायद अनुसूची में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अतः अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा पदत अक्तियों का प्रयोग करते हुए घोषणा करती है कि इस अधिमूचना से उपायद अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन विस्तार के उपयोग का अधिकार अर्जित किया जाता है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा पदत अक्तियों का प्रयोग करते हुए यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की वजाय सभी विलिंगों से मुक्त होकर इण्डियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

| जिला -भरतपुर | | | राज्य- राजस्थान | | |
|--------------|-------------|-------------------|-----------------|-----|-----------|
| तहसील | गांव का नाम | सर्वे / ब्लॉक नं. | क्षेत्रफल | | |
| | | | हेक्टेयर | एयर | वर्ग मीटर |
| 1 | 2 | 3 | 5 | 6 | 6 |
| कुम्हेर | सारह | 946 | 00 | 02 | 07 |
| | | 947 | 00 | 05 | 04 |
| | | 949 | 00 | 02 | 60 |
| | | 950 | 00 | 02 | 40 |
| | | 951 | 00 | 04 | 50 |
| | | 952 | 00 | 05 | 00 |
| | | 1046 | 00 | 02 | 80 |
| | | 1047 | 00 | 02 | 60 |
| | | 1053 | 00 | 03 | 69 |
| | | 1052 | 00 | 00 | 24 |
| | | 1111 | 00 | 00 | 06 |
| | | 1100 | 00 | 01 | 60 |
| | | 1110 | 00 | 01 | 60 |
| | | 1101 | 00 | 00 | 10 |
| | | 1108 | 00 | 03 | 00 |
| | | 1103 | 00 | 03 | 90 |
| भरतपुर | रुध सारह | 321 | 00 | 03 | 30 |
| | | 317 | 00 | 05 | 60 |
| | | 427 | 00 | 05 | 20 |
| | | 426 | 00 | 05 | 00 |
| | | 493 | 00 | 05 | 10 |
| | | 490 | 00 | 03 | 78 |
| | | 491 | 00 | 00 | 96 |
| | | 489 | 00 | 02 | 60 |
| | | 488 | 00 | 04 | 00 |
| | | 487 | 00 | 02 | 90 |
| | | 486 | 00 | 02 | 00 |
| | | 482 | 00 | 01 | 00 |
| | | 485 | 00 | 02 | 90 |
| | | 505 सरकारी भूमि | 00 | 02 | 40 |
| | | 515 | 00 | 01 | 00 |

| तहसील | गाव का नाम | सर्वे / ब्लॉक नं. | क्षेत्रफल | | |
|--------|--------------------|-------------------|-----------|-----|-----------|
| | | | हेक्टेयर | एयर | वर्ग मीटर |
| 1 | 2 | 3 | 5 | 6 | 6 |
| भरतपुर | रुध रारह (जारी) | 516 | 00 | 04 | 80 |
| | | 517 | 00 | 01 | 10 |
| | | 519 | 00 | 03 | 20 |
| | | 518 | 00 | 00 | 20 |
| | | 522 | 00 | 05 | 00 |
| | | 537 | 00 | 01 | 50 |
| | | 538 | 00 | 03 | 36 |
| | | 539 | 00 | 04 | 80 |
| | | 542 | 00 | 03 | 80 |
| | | 543 | 00 | 05 | 40 |
| | | 550 | 00 | 03 | 20 |
| | | 551 | 00 | 03 | 90 |
| | | 560 | 00 | 03 | 10 |
| | | 561 | 00 | 03 | 10 |
| | | 562 | 00 | 04 | 76 |
| | | 563 | 00 | 00 | 80 |
| भरतपुर | शहनायली | 37 | 00 | 04 | 00 |
| | | 36 | 00 | 05 | 80 |
| | | 35 | 00 | 04 | 20 |
| | | 143 | 00 | 05 | 50 |
| | | 138 | 00 | 04 | 30 |
| | | 137 | 00 | 04 | 00 |
| | | 147 | 00 | 05 | 70 |
| | | 148 | 00 | 05 | 40 |
| | | 222 | 00 | 08 | 30 |
| | | 223 | 00 | 03 | 00 |
| | | 241 | 00 | 03 | 60 |
| | | 240 | 00 | 03 | 00 |
| | | 236 | 00 | 05 | 00 |
| | | 238 | 00 | 00 | 15 |
| | | 237 | 00 | 00 | 15 |
| | | 317 | 00 | 00 | 80 |
| | | 300 | 00 | 04 | 40 |
| | | 302 | 00 | 01 | 28 |
| | | 301 | 00 | 00 | 16 |

| महसील | गांव का नाम | सर्वे / ब्लाक नं. | क्षेत्रफल | | |
|--------|-------------------|-------------------|-----------|-----|-----------|
| | | | हेक्टेयर | एयर | वर्ग मीटर |
| 1 | 2 | 3 | 5 | 6 | 6 |
| भरतपुर | शहनावली (जारी) | 303 | 00 | 00 | 96 |
| | | 299 | 00 | 02 | 88 |
| | | 305 | 00 | 01 | 02 |
| | | 304 | 00 | 02 | 16 |
| | | 306 | 00 | 06 | 30 |
| | | 312 | 00 | 06 | 80 |
| | | 365 | 00 | 02 | 16 |
| | | 364 | 00 | 02 | 00 |
| | | 361 | 00 | 05 | 56 |
| | | 369 | 00 | 02 | 30 |
| | | 371 | 00 | 05 | 40 |
| | | 405 | 00 | 03 | 78 |
| | | 404 | 00 | 04 | 50 |
| | | 406 | 00 | 00 | 94 |
| | | 407 | 00 | 00 | 10 |
| | | 402 | 00 | 03 | 60 |
| | | 403 | 00 | 06 | 60 |
| | | 400 | 00 | 06 | 70 |
| | | 399 | 00 | 03 | 30 |
| भरतपुर | धोरमई | 6 | 00 | 01 | 80 |
| | | 5 | 00 | 02 | 80 |
| | | 10 | 00 | 03 | 00 |
| | | 18 | 00 | 02 | 40 |
| | | 21 | 00 | 05 | 40 |
| | | 22 | 00 | 04 | 10 |
| | | 57 सरकारी भूमि | 00 | 01 | 10 |
| | | 58 | 00 | 04 | 20 |
| | | 168 | 00 | 06 | 20 |
| | | 170 | 00 | 06 | 00 |
| | | 162 | 00 | 02 | 70 |
| | | 192 | 00 | 01 | 00 |
| | | 161 | 00 | 00 | 10 |
| | | 193 | 00 | 04 | 10 |
| | | 194 | 00 | 04 | 20 |
| | | 195 | 00 | 00 | 10 |

| तहसील | गांव का नाम | सर्वे / ब्लाक नं. | क्षेत्रफल | | |
|--------|-----------------|-------------------|-----------|-----|-----------|
| | | | हेक्टेयर | एयर | वर्ग मीटर |
| 1 | 2 | 3 | 5 | 6 | 6 |
| भरतपुर | धोरमई (जारी) | 200 | 00 | 04 | 00 |
| | | 210 | 00 | 04 | 60 |
| | | 212 | 00 | 04 | 10 |
| | | 219 | 00 | 05 | 76 |
| | | 222 | 00 | 01 | 20 |
| | | 220 | 00 | 01 | 00 |
| | | 221 | 00 | 02 | 00 |
| | | 226 | 00 | 05 | 60 |
| | | 225 | 00 | 02 | 10 |
| | | 320 | 00 | 05 | 10 |
| | | 322 | 00 | 03 | 00 |
| | | 316 | 00 | 00 | 10 |
| | | 323 | 00 | 03 | 40 |
| | | 315 | 00 | 00 | 10 |
| | | 324 | 00 | 02 | 52 |
| | | 314 | 00 | 00 | 96 |
| | | 301 | 00 | 02 | 34 |
| | | 300 | 00 | 00 | 60 |
| | | 302 | 00 | 03 | 30 |
| | | 295 सरकारी भूमि | 00 | 00 | 60 |
| | | 276 | 00 | 06 | 20 |
| | | 277 | 00 | 03 | 10 |
| | | 274 | 00 | 00 | 10 |
| | | 278 | 00 | 04 | 60 |
| | | 281 | 00 | 01 | 60 |
| | | 282 | 00 | 06 | 40 |
| | | 283 | 00 | 05 | 20 |
| | | 285 | 00 | 05 | 70 |
| भरतपुर | जघीना | 913 | 00 | 03 | 80 |
| | | 915 | 00 | 00 | 20 |
| | | 916 | 00 | 02 | 88 |
| | | 917 | 00 | 00 | 24 |
| | | 918 | 00 | 00 | 60 |
| | | 920 | 00 | 00 | 56 |
| | | 919 | 00 | 02 | 32 |

| तहसील | गांव का नाम | सर्वे / ब्लॉक नं. | क्षेत्रफल | | |
|--------|-----------------|-------------------|-----------|-----|-----------|
| | | | हेक्टेयर | एयर | वर्ग मीटर |
| 1 | 2 | 3 | 5 | 6 | 6 |
| भरतपुर | जघीना (जारी) | 924 | 00 | 01 | 05 |
| | | 922 | 00 | 02 | 60 |
| | | 1424 सा. नि. वि. | 00 | 04 | 10 |
| | | 2481 | 00 | 01 | 30 |
| | | 2480 | 00 | 01 | 20 |
| | | 2483 | 00 | 00 | 72 |
| | | 2479 | 00 | 04 | 40 |
| | | 2474 | 00 | 02 | 80 |
| | | 2475 | 00 | 05 | 20 |
| | | 2461 | 00 | 05 | 00 |
| | | 2462 | 00 | 00 | 48 |
| | | 2450 | 00 | 00 | 24 |

[फा. सं. आर-25011/2/2008-ओ.आर.-I]

बी. के. दाता, अवर सचिव

New Delhi, the 9th June, 2009

S. O. 1656.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas, published in the Gazette of India vide number S.O. 2072 dated 24th July 2008, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to this notification for the purpose of laying pipeline for the transportation of Petroleum Product from Rundh Rarh Village of Bharatpur District of the State of Rajasthan to Bharatpur marketing Terminal at Jaghina village of Bharatpur District in the State of Rajasthan by the Indian Oil Corporation Limited for implementing the "Petroleum and Minerals Pipelines" in Tehsil **Kumher and Bharatpur, District Bharatpur, in Rajasthan State;** And whereas, copies of the said gazette notification were made available to the public on 10-12-2008 to 22-12-08.

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said **Act**, has submitted his report to the Central Government.

And whereas, the Central Government after considering the said report is satisfied that the right of user in the land specified in the Schedule appended to this notification should be **acquired;**

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the **said Act**, the Central Government hereby declares that the right of users in the said land, specified in the Schedule appended to this notification is acquired:

And, further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of users in the said land shall instead of vesting in the Central Government, vest from the date of publication of this declaration, in the Indian Oil Corporation Limited free from all encumbrances.

SCHEDULE

Dist:- Bharatpur

State:- Rajasthan

| Tehsil | Name of Village | Survey/Block/No. | Area | | |
|-----------|-----------------|------------------|---------|-----|----------|
| | | | Hectare | Are | Sq. Mtr. |
| 1 | 2 | 3 | 4 | 5 | 6 |
| Kumher | Rarah | 946 | 00 | 02 | 07 |
| | | 947 | 00 | 05 | 04 |
| | | 949 | 00 | 02 | 60 |
| | | 950 | 00 | 02 | 40 |
| | | 951 | 00 | 04 | 50 |
| | | 952 | 00 | 05 | 00 |
| | | 1046 | 00 | 02 | 80 |
| | | 1047 | 00 | 02 | 60 |
| | | 1053 | 00 | 03 | 69 |
| | | 1052 | 00 | 00 | 24 |
| | | 1111 | 00 | 00 | 06 |
| | | 1100 | 00 | 01 | 60 |
| | | 1110 | 00 | 01 | 60 |
| | | 1101 | 00 | 00 | 10 |
| | | 1108 | 00 | 03 | 00 |
| | | 1103 | 00 | 03 | 90 |
| Bharatpur | Rundh Rarah | 321 | 00 | 03 | 30 |
| | | 317 | 00 | 05 | 60 |
| | | 427 | 00 | 05 | 20 |
| | | 426 | 00 | 05 | 00 |
| | | 493 | 00 | 05 | 10 |
| | | 490 | 00 | 03 | 78 |
| | | 491 | 00 | 00 | 96 |
| | | 489 | 00 | 02 | 60 |
| | | 488 | 00 | 04 | 00 |
| | | 487 | 00 | 02 | 90 |
| | | 486 | 00 | 02 | 00 |
| | | 482 | 00 | 01 | 00 |
| | | 485 | 00 | 02 | 90 |
| | | 505 Govt Land | 00 | 02 | 40 |
| | | 515 | 00 | 01 | 00 |

| Tehsil | Name of Village | Survey/Block/No. | Area | | |
|-----------|-------------------------|------------------|---------|-----|---------|
| | | | Hectare | Are | Sq. Mtr |
| 1 | 2 | 3 | 4 | 5 | 6 |
| Bharatpur | Rundh Rarah (Cqntd.) | 516 | 00 | 04 | 80 |
| | | 517 | 00 | 01 | 10 |
| | | 519 | 00 | 03 | 20 |
| | | 518 | 00 | 00 | 20 |
| | | 522 | 00 | 05 | 00 |
| | | 537 | 00 | 01 | 50 |
| | | 538 | 00 | 03 | 36 |
| | | 539 | 00 | 04 | 80 |
| | | 542 | 00 | 03 | 80 |
| | | 543 | 00 | 05 | 40 |
| | | 550 | 00 | 03 | 20 |
| | | 551 | 00 | 03 | 90 |
| | | 560 | 00 | 03 | 10 |
| | | 561 | 00 | 03 | 10 |
| | | 562 | 00 | 04 | 76 |
| | | 563 | 00 | 00 | 80 |
| Bharatpur | Sahnavali | 37 | 00 | 04 | 00 |
| | | 36 | 00 | 05 | 80 |
| | | 35 | 00 | 04 | 20 |
| | | 143 | 00 | 05 | 50 |
| | | 138 | 00 | 04 | 30 |
| | | 137 | 00 | 04 | 00 |
| | | 147 | 00 | 05 | 70 |
| | | 148 | 00 | 05 | 40 |
| | | 222 | 00 | 08 | 30 |
| | | 223 | 00 | 03 | 00 |
| | | 241 | 00 | 03 | 60 |
| | | 240 | 00 | 03 | 00 |
| | | 236 | 00 | 05 | 00 |
| | | 238 | 00 | 00 | 15 |
| | | 237 | 00 | 00 | 15 |
| | | 317 | 00 | 00 | 80 |
| | | 300 | 00 | 04 | 40 |
| | | 302 | 00 | 00 | 28 |
| | | 301 | 00 | 00 | 16 |

| Tehsil | Name of Village | Survey/Block/No. | Area | | |
|-----------|-----------------------|------------------|---------|-----|----------|
| | | | Hectare | Are | Sq. Mtr. |
| 1 | 2 | 3 | 4 | 5 | 6 |
| Bharatpur | Sahnavali (Contd.) | 303 | 00 | 00 | 96 |
| | | 299 | 00 | 02 | 88 |
| | | 305 | 00 | 01 | 02 |
| | | 304 | 00 | 02 | 16 |
| | | 306 | 00 | 06 | 30 |
| | | 312 | 00 | 06 | 80 |
| | | 365 | 00 | 02 | 16 |
| | | 364 | 00 | 02 | 00 |
| | | 361 | 00 | 05 | 56 |
| | | 369 | 00 | 02 | 30 |
| | | 371 | 00 | 05 | 40 |
| | | 405 | 00 | 03 | 78 |
| | | 404 | 00 | 04 | 50 |
| | | 406 | 00 | 00 | 94 |
| | | 407 | 00 | 00 | 10 |
| | | 402 | 00 | 03 | 60 |
| | | 403 | 00 | 06 | 60 |
| | | 400 | 00 | 06 | 70 |
| | | 399 | 00 | 03 | 30 |
| Bharatpur | Dhormai | 6 | 00 | 01 | 80 |
| | | 5 | 00 | 02 | 80 |
| | | 10 | 00 | 03 | 00 |
| | | 18 | 00 | 02 | 40 |
| | | 21 | 00 | 05 | 40 |
| | | 22 | 00 | 04 | 10 |
| | | 57 Govt. Land | 00 | 01 | 10 |
| | | 58 | 00 | 04 | 20 |
| | | 168 | 00 | 06 | 20 |
| | | 170 | 00 | 06 | 00 |
| | | 162 | 00 | 02 | 70 |
| | | 192 | 00 | 01 | 00 |
| | | 161 | 00 | 00 | 10 |
| | | 193 | 00 | 04 | 10 |
| | | 194 | 00 | 04 | 20 |
| | | 195 | 00 | 00 | 10 |

| Tehsil | Name of Village | Survey/Block/No. | Area | | |
|-----------|---------------------|------------------|---------|-----|----------|
| | | | Hectare | Are | Sq. Mtr. |
| 1 | 2 | 3 | 4 | 5 | 6 |
| Bharatpur | Dhormai (Contd.) | 200 | 00 | 04 | 00 |
| | | 210 | 00 | 04 | 60 |
| | | 212 | 00 | 04 | 10 |
| | | 219 | 00 | 05 | 76 |
| | | 222 | 00 | 01 | 20 |
| | | 220 | 00 | 01 | 00 |
| | | 221 | 00 | 02 | 00 |
| | | 226 | 00 | 05 | 60 |
| | | 225 | 00 | 02 | 10 |
| | | 320 | 00 | 05 | 10 |
| | | 322 | 00 | 03 | 00 |
| | | 316 | 00 | 00 | 10 |
| | | 323 | 00 | 03 | 40 |
| | | 315 | 00 | 00 | 10 |
| | | 324 | 00 | 02 | 52 |
| | | 314 | 00 | 00 | 96 |
| | | 301 | 00 | 02 | 34 |
| | | 300 | 00 | 00 | 60 |
| | | 302 | 00 | 03 | 30 |
| | | 295 Govt. Land | 00 | 00 | 60 |
| | | 276 | 00 | 06 | 20 |
| | | 277 | 00 | 03 | 10 |
| | | 274 | 00 | 00 | 10 |
| | | 278 | 00 | 04 | 60 |
| | | 281 | 00 | 01 | 60 |
| | | 282 | 00 | 06 | 40 |
| | | 283 | 00 | 05 | 20 |
| | | 285 | 00 | 05 | 70 |
| Bharatpur | Jaghina | 913 | 00 | 03 | 80 |
| | | 915 | 00 | 00 | 20 |
| | | 916 | 00 | 02 | 88 |
| | | 917 | 00 | 00 | 24 |
| | | 918 | 00 | 00 | 60 |
| | | 920 | 00 | 00 | 56 |
| | | 919 | 00 | 02 | 32 |

| Tehsil | Name of Village | Survey/Block/No. | Area | | |
|-----------|---------------------|------------------|---------|-----|----------|
| | | | Hectare | Are | Sq. Mtr. |
| 1 | 2 | 3 | 4 | 5 | 6 |
| Bharatpur | Jaghina (Contd.) | 924 | 00 | 01 | 05 |
| | | 922 | 00 | 02 | 60 |
| | | 1424 P.W.D | 00 | 04 | 10 |
| | | 2481 | 00 | 01 | 30 |
| | | 2480 | 00 | 01 | 20 |
| | | 2483 | 00 | 00 | 72 |
| | | 2479 | 00 | 04 | 40 |
| | | 2474 | 00 | 02 | 90 |
| | | 2475 | 00 | 05 | 20 |
| | | 2461 | 00 | 05 | 00 |
| | | 2462 | 00 | 00 | 43 |
| | | 2450 | 00 | 00 | 24 |

[F. No. R-25011/2/2008-O.R.-I]

B. K. DATTA, Under Secy.

नई दिल्ली, 11 जून, 2009

का. आ. 1657.—केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 2 के खण्ड (क) के अनुसरण में, भारत के राजपत्र में दिनांक 3 दिसम्बर, 2005 को प्रकाशित, पेट्रोलियम एवं प्राकृतिक गैस मंत्रालय की दिनांक 30 नवम्बर, 2005 की अधिसूचना सं. का.आ. 4526 और दिनांक 6 अक्तूबर को प्रकाशित दिनांक 28 सितम्बर, 2007 के का.आ. सं. 2934 में एतद्द्वारा निम्नलिखित संशोधन करती है :

उस अधिसूचना में, अनुसूची के कॉलम (1) में

- i) दिनांक 30 नवम्बर, 2005 के का.आ.संख्या 4526 की क्रम सं. 7 में 'श्री ए.के. गर्ग, वरिष्ठ प्रचालन प्रबंधक, इंडियन ऑयल कॉर्पोरेशन लिमिटेड, पश्चिमी क्षेत्र पाइपलाइन्स, राजोला, गांव कंटालिया/राजोला, पो.ऑ. एवं वाया सोजत रोड, जिला पाली, राजस्थान - 306106' शब्दों के स्थान पर 'श्री विकास सारसवत, उप प्रबंधक -प्रचालन, पश्चिमी क्षेत्र पाइपलाइन्स, सेन्दड़ा जिला पाली(राजस्थान)-306 102' शब्दों को प्रतिस्थापित किया जाए ।
- ii) दिनांक 28.9.2007 के का.आ. सं. 2934 के कॉलम (iii) में 'श्री गौतम दास, वरिष्ठ तकनीकी सेवाएं प्रबंधक, इंडियन ऑयल कॉर्पोरेशन लिमिटेड, पश्चिमी क्षेत्र पाइपलाइन्स, पोस्ट बॉक्स नं. 1007, मोरवी रोड, गौरीदड़, जिला राजकोट-360030(गुजरात)' शब्दों के स्थान पर 'श्री सुरेश पी. डोडिया, वरिष्ठ प्रचालन एवं अनुसंधान इंजीनियर, इंडियन ऑयल कॉर्पोरेशन लिमिटेड, पश्चिमी क्षेत्र पाइपलाइन्स, गौरीदड़' शब्दों को प्रतिस्थापित किया जाए ।

श्री विजय जैन, उप प्रबंधक प्रचालन, सक्षम प्राधिकारी, इंडियन ऑयल कॉर्पोरेशन लिमिटेड, पश्चिमी क्षेत्र पाइपलाइन्स, रतलाम 36-मधुबन सोसायटी, कस्तूरबा नगर, रतलाम (मध्य प्रदेश)-457 001 को मध्य प्रदेश राज्य के लिए एक नए सक्षम प्राधिकारी के रूप में घोषित किया जाए।

[फा. सं. आर-25011/9/2007-ओ.आर.-I]

बी. के. दत्ता, अवर सचिव

New Delhi, the 11th June, 2009

S.O. 1457.—In pursuance of clause (a) of Section 2 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby makes the following amendments in the notifications of the Government of India in the Ministry of Petroleum and Natural Gas, Notification number S.O. 4526 dated 30th November, 2005 published in the Gazette of India on 3rd December, 2005 and number S.O. 2934 dated 28th September, 2007, published in the Gazette of India on 6th October, 2007, namely: -

In the said notification, in the Schedule, in column (1).

- i). Number S.O. 4526 dated 30th November, 2005, Sl.No.7 for the words "Shri A.K. Gurg, Senior Operations Manager, Indian Oil Corporation Limited, Western Region Pipeline, Rajola, Vill.Kantaliya/Rajola, P.O. & Via Sojat Road, Distt. Pali, Rajasthan-306106" the words, "Shri Vikas Sarswat, Deputy Manager Operations, Indian Oil Corporation Limited, Western Region Pipelines, Sendra" P.O. Sendra, Distt. Pali (Rajasthan)-306 102, may be substituted.
- ii) Number S.O. 2934 dated 28.9.2007 column (iii), for the words "Shri Gautam Das, Senior Technical Services Manager, Indian Oil Corporation Limited, Western Region Pipelines," Post Box No.1007, Morvi Road, Gauridad, Distt. Rajkot-360030(Gujarat), the words, "Shri Suresh P. Dodia, Senior Operations and Maintenance Engineer, Indian Oil Corporation Limited, Western Region Pipelines, Gauridad" may be substituted.
- iii). "Shri Vijay Jain, Deputy Manager Operations, Indian Oil Corporation Limited, Western Region Pipelines, Ratlam," 36-Madhuban Society, Kasturba Nagar, Ratlam (Madhya Pradesh)-457 001, may be declared as new Competent Authority for the State of Madhya Pradesh.

[F.No. R-25011/9/2007-O.R.-I]
B. K. DATTA, Under Secy.

श्रम और रोजगार मंत्रालय

नई दिल्ली, 1 मई, 2009

का.आ.1658.—राष्ट्रपति, श्री राम किशन यादव को 21-4-2009 से उनके 65 वर्ष की आयु के होने तक अर्थात् 7-6-2014 तक अथवा अगले आदेश होने तक, जो भी पहले हो, केन्द्रीय सरकार औद्योगिक न्यायाधिकरण-सह-श्रम न्यायालय संख्या 1, नई दिल्ली के पीठासीन अधिकारी के पद पर नियुक्त करते हैं।

[सं. ए-11016/6/2007-सी एल एस-II]

पी. के. ताम्रकर, अवर सचिव

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 1st May, 2009

S.O. 1658.—The President is pleased to appoint Shri Ram Kishan Yadav as Presiding Officer of the Central Government Industrial Tribunal-cum-Labour Court No. 1, New Delhi w.e.f. 21-4-2009 till he attains the age 65 years i.e. up to 7-6-2014 or until further orders, whichever is earlier.

[No. A-11016/6/2007-CLS-II]

P. K. TAMRAKAR, Under Secy.

नई दिल्ली, 13 मई, 2009

का.आ. 1659.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. बी. सी. सी. एल. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, संख्या 1, धनबाद के पंचाट (संदर्भ संख्या 81/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-5-2009 को प्राप्त हुआ था।

[सं. एल-20012/23/2002-आईआर (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 13th May, 2009

S.O.1659.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 81/2003) of the Central Government Industrial Tribunal/Labour Court, No. I, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. B.C.C. Ltd. and their workman, which was received by the Central Government on 13-5-2009.

[No. L-20012/23/2002-IR (C-I)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD**

In the matter of a reference U/s. 10(1)(d) (2A) of I. D. Act.

Reference No. 81 of 2003

Parties : Employers in relation to the management of Govindpur Area-II of M/s. B.C. C. Ltd.

AND

Their Workman

Present : Shri H. M. Singh, Presiding Officer

APPEARANCES

For the Employers : Shri D. K. Verma, Advocate

For the Workmen : Shri S. N. Goswami, Advocate

State Jharkhand : Industry : Coal

Dated, the 27th April, 2009

AWARD

By Order No. L-20012/23/2002-IR (C-I) dated 18-8-2003 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

अनुसूची

“क्या राष्ट्रीय कोलियरी मजदूर संघ की भारत कोकिंग कोल लिमिटेड, गोविन्दपुर क्षेत्र-II के प्रबंधतंत्र से मांग कि सुरेश दसौंथी ट्रांसपोर्ट मुंशी के पद पर नियमित किया जाये उचित एवं न्याय संगत है? यदि हाँ तो कर्मकार किस राहत के पात्र हैं तथा किस तारीख से?”

2. The present reference case had already been fixed for adducing evidence by the workman on 21-5-2009. But on 26-3-2009 Sri S. N. Goswami, Advocate, appeared with the concerned workman and filed a petition along with office order issued by General Manager (P & I R), BCCL praying for withdrawal the case.

3. In view of such submission made by Sri Goswami, Advocate and the concerned workman, I pass a 'No Dispute' award in the present case.

H. M. SINGH, Presiding Officer

नई दिल्ली, 13 मई, 2009

का.आ.1660.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. बी. सी. सी. एल. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय संख्या 1, धनबाद के पंचाट (संदर्भ संख्या 14/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-5-2009 को प्राप्त हुआ था।

[सं. एल-20012/23/99-आईआर (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 13th May, 2009

S.O.1660.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 14/2000) of the Central Government Industrial Tribunal/Labour Court No. I, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. B.C.C. Ltd. and their workman, which was received by the Central Government on 13-5-2009.

[No. L-20012/23/99-IR (C-I)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. I, DHANBAD**

In the matter of a reference U/s. 10(1)(d) (2A) of I. D. Act.

Reference No. 14 of 2000

Parties : Employers in relation to the management of
Keshalpur Colliery of M/s. B.C. C. Ltd.**AND**

Their Workman

Present : Shri H. M. Singh, Presiding Officer**APPEARANCES****For the Employers :** None**For the Workmen :** None**State Jharkhand :** Industry : Coal

Dated, the 27th April, 2009

AWARD

By Order No. L-20012/234/99-IR (C-I) dated 20-12-99 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

SCHEDULE

"Whether the action of the management of Keshalpur Colliery of M/s. BCCL in dismissing Sri Rohan Das, O/Khalasi/S. P. Helper from the service of the company w.e.f. 18/19-4-97 on the ground of unauthorised absence from duty from 19-9-95 is justified? If not, to what relief the concerned workman is entitled?"

2. 5-3-2009 was fixed for appearance and for filing written statement by the workman. But neither the concerned workmen nor his representative was present inspite of notice sent by speed post.

3. In view of such circumstances it is presumed that the workman is not interested to contest the case. Since 6-1-2000 the workman is not taking any interest to contest the case. It is needless to keep this reference case pending.

4. In such circumstances, I render a 'No Dispute' Award in the present reference case.

H. M. SINGH, Presiding Officer

नई दिल्ली, 13 मई, 2009

क्र.आ.1661.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. बी. सी. एल. के प्रबंधक के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/ग्राम न्यायालय, संख्या I, धनबाद के पंचाट (संदर्भ संख्या 118/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-5-2009 को प्राप्त हुआ था।

[सं. एल-20012/51/99-आईआर (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 13th May, 2009

S.O.1661.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 118/1999) of the Central Government Industrial Tribunal/Labour Court, No. I Dhanbad now as shown in the annexure in the Industrial Dispute between the employers in relation to the management of M/s. B.C.C. Ltd. and their workman, which was received by the Central Government on 13-5-2009.

[No. L-20012/51/99-IR (C-I)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. I, DHANBAD**

In the matter of a reference U/s. 10(1)(d) (2A) of I. D. Act.

Reference No. 118 of 1999

Parties : Employers in relation to the management of
Koyla Bhawan of M/s. B.C. C. L.**AND**

Their Workmen

Present : Shri H. M. Singh, Presiding Officer**APPEARANCES****For the Employers :** None**For the Workmen :** None**State : Jharkhand Industry :** Coal

Dated, the 28th April, 2009

AWARD

By Order No. L-20012/51/99-IR (C-I) dated 4-6-1999, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the demand of the Union for regularisation of S/Sri Durga Mahto and Kishan Mahto as fitter-helper in Excavation Gr. E with retrospective effect is justified? If so to what relief the workmen are entitled and from what date?"

2. None appeared from either side inspite of notices being sent by speed post nor the written statement on behalf of the workmen was filed till 28-1-2009. This case is pending for filling of written statement by the workmen. It appears that concerned workmen are not interested to contest their case.

3. In such circumstances, I render a 'No Dispute' Award in the present case.

H. M. SINGH, Presiding Officer

नई दिल्ली, 13 मई, 2009

क्र.आ.1662.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. बी.सी.सी.एल.

के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, संख्या I, धनबाद के पंचाट (संदर्भ संख्या 72/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-5-2009 को प्राप्त हुआ था।

[सं. एल-20012/41/1996-आईआर (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 13th May, 2009

S.O.1662.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 72/1997) of the Central Government Industrial Tribunal/Labour Court No. I, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. B.C.C. Ltd. and their workman, which was received by the Central Government on 13-5-2009.

[No. L-20012/41/1996-IR (C-I)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference U/s. 10(1)(d) (2A) of I.D. Act.

Reference No. 72 of 1997

Parties : Employers in relation to the management of Bhowra Coke Plant of M/s. B.C. C. Ltd.

AND

Their Workmen

Present : Shri H. M. Singh, Presiding Officer

APPEARANCES

For the Employers : Shri B. M. Prasad, Advocate

For the Workmen : Shri R. Rai, Representative

State Jharkhand : Industry : Coal

Dated, the 20th April, 2009

AWARD

1. By Order No. L-20012/41/96-IR (C-I) dated 12-3-1997 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the demand by the Union for regularisation, by the management of Shri Amin Mahato, P. R. Mazdoor in Time Rated Job is legal and justified? If so to what relief is the workman entitled?”

2. The case of the workman is that Amin Mahato, Piece-rated Mazdoor has been working at Bhowra Coke Plant as Dragger since 11-10-1991 continuously which is the job of time-rated. Though the designation of the concerned workman is P. R. Mazdoor, but the management is taking work from him as Dragger in Time-rated job. The concerned workman represented before the management on 20-8-92 for his regularisation in Time-rated job. But the management did not pay any heed to his representation.

Thereafter, the sponsoring union raised an industrial dispute before the A.L.C. (C), Dhanbad. The conciliation proceeding ended in failure and the Ministry of Labour has referred the dispute before this Tribunal for adjudication. It has been stated that the concerned is entitled for regularisation in time-rated job as per provision of Section 7.2 and 7.5 of the certified standing order of the company. It has been prayed that the Tribunal be pleased to pass an award regularising the concerned workman in time-rated job with retrospective effect.

3. The case of the management is that the present reference is not legally maintainable. The concerned workman is working as piece-rated mazdoor at Bhowra Coke Plant and he holds the permanent status of a piece-rated worker. He does not hold any status of a time-rated worker and, as such, the question of his regularisation in time-rated job did not and cannot arise. It has been submitted that during certain emergency condition existing in an establishment, the piece-rated worker may be provided alternate employment on time-rated jobs and vice-versa. There is no provision for regularisation of piece-rated jobs merely because they were offered temporary employment against temporary vacancy or were provided alternate employment due to non-availability of jobs of their permanent respective status. It has been stated that as the concerned workman holds the permanent status of a piece-rated worker, he cannot demand for his conversion and regularisation on time-rated job, although, the management at its discrimination may provide him time-rated jobs under certain exigencies of circumstances or by way of alternate employment or to meet certain difficulties faced by the workman himself. In no circumstances, the management has any obligation to regularise a piece-rated worker on time-rated jobs or a time-rated worker on piece-rated jobs. It has been submitted that the concerned workman is not entitled to be regularised on any time-rated job on any ground whatsoever.

In rejoinder the management has been denied that the concerned workman was a piece-rated worker and he holds permanent status on piece-rated group. It has also been denied that he is working as dragger on time-rated scale with effect from 11-10-91. It has been denied that the concerned workman is entitled to be regularised on time-rated job as per provision of Section 7.2 and 7.5 of the Certified Standing Order of the company.

4. Rejoinder has been filed on behalf of the workman stating almost same thing which has been stated in the written statement.

5. The workman has produced himself as WW-1 who has proved documents as Ext. W-1.

The management has produced MW-1-Anthoni Samad, who during his cross-examination proved documents, as Ext. W-2 and Ext. W-3. The management has also produced MW-2-Ved Prakash who has proved document as Ext. W-4.

6. The argument advanced on behalf of the workman is that the concerned workman has been working in the time-rated job and the management has been taking the job of dragger from the concerned workman and though he

was appointed in piece-rated job in the year 1991, the management has denied regularisation of the concerned workman as Dragger in time-rated job.

7. The management argued that the concerned workman was piece-rated mazdoor and he cannot be given time-rated job as Dragger.

But the management's witness MW-1 stated in cross-examination at page 2 that this is the copy of a Sunday list from which it appears that as a Dragman he had performed duties on Sunday, marked Ext. W-2. This statement of the management shows that the work of dragman is taken from the concerned workman and the management has only stated that it has not taken the work of dragman from the concerned workman. The Dragman is time-rated worker. There is no dispute in this because MW-1 stated that sometimes the concerned workman used to work as a Dragman also in time-rated job. Such nature of work used to be taken from him only when necessity used to arise. The pay slips filed show that he was posted as per piece-rated worker though sometime he was taken work of Dragman which is time-rated job. Ext. W-1 has been received by the management but no action was taken by the management. There is an admission on the part of the management that the work of Dragman has been taken from the concerned workman and the work of Dragman is time-rated job. Ext. W-2 also shows that the work of the concerned workman has been taken by the management as per Sunday List on 11-7-91—"A" Shift.

In view of the above discussions, I come to the conclusion that the concerned workman is entitled for regularisation in Time Rated Job w.e.f. 11-10-91.

8. Accordingly, I render following award—

The demand by the Union for regularisation, by the management, of Shri Amin Mahato P.R. Mazdoor in Time Rate Job is legal and justified. The concerned workman is entitled for regularisation in time-rated job w.e.f. 11-10-91. The management is directed to implement the award within 30 days from the date of publication of the award.

H.M. SINGH, Presiding Officer

नई दिल्ली, 13 मई, 2009

का.आ.1663.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. सी. एम.पी. एण्ड डी. आई. लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, संख्या-I, धनबाद के पंचाट (संदर्भ संख्या 11/1988) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-5-2009 को प्राप्त हुआ था।

[सं. एल-20012/116/82-डी. III(ए)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 13th May, 2009

S.O.1663.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 11/1988) of the Central Government Industrial Tribunal/Labour Court,

No. I, Dhanbad now as shown in the Annexure in Industrial Dispute between the employers in relation to the management of M/s. Central Mine Planning & Design Institute Ltd. and their workman, which was received by the Central Government on 13-5-2009:

[No. L-20012/116/82-D. III(A)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD.

In the matter of a reference U/s. 10 (1) (d) of I.D. Act, 1947.

Reference No. 11 of 1988.

Parties : Employers in relation to the management of Central Mine Planning & Design Institute Ltd., Gondwana Place, Ranchi.

AND

Their Workmen.

Present : Shri H.M. Singh, Presiding Officer.

APPEARANCES

For the Employers : None
For the Workmen : None.
State : Jharkhand. : Industry : Coal.

Dated, the 30th April, 2009.

AWARD.

By Order No. L-20012 (116)/82-D. III (A) dated 16-9-82 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

SCHEDULE

"Whether the management of Central Mine Planning & Design Institute Ltd., Ranchi are justified :—

- (i) In promoting Shri G. D. Laha as Executive Draftsman with effect from the 18th March, 1980;
- (ii) In refusing the pay scale of Rs. 572-1008 to the Drivers who are capable of attending to running repairs of vehicles and/or those who possess heavy duty licence;
- (iii) In promoting/placing Shri T.K. Banerjee, O.E. & M Operator in the scale of Rs. 378-614 with effect from the 17th December, 1979;
- (iv) In denying the pay-scale of Rs. 592-992 (NCWA-I) to the Hindi Translators ;
- (v) In engaging Shri Basudeo Rai, Chairman on the work of record keeper without giving appropriate designation and scale of pay;
- (vi) In not regularising Shri Kapil Ram working as Mali;
- (vii) In not regularising Shri S. K. Paswan as Rigman; and
- (viii) In regularising Shri Saharuddin Ahmed as Junior Mechanic with 5 advance increments in technical and supervisory Grade-C in supersession of all other seniors.

If not, to what relief are the workmen concerned entitled and from what dates?"

2. The case was fixed on 6-2-2009 but none appeared from either side. It appears from the order of Hon'ble Jharkhand High Court passed in CWJC 931/83 (R) the stay order has already been vacated. It appears further that in spite of several notices issued to the sponsoring union nobody has turned up to pursue the matter.

It seems that neither the workmen nor the union is interested to take up the case further.

In such circumstances I render a 'No Dispute' Award in the present reference case.

H.M. SINGH, Presiding Officer

नई दिल्ली, 13 मई, 2009

का.आ. 1664.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. बी.सी.सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, सं.-1 धनबाद के पंचाट (संदर्भ संख्या 114/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-5-2009 को प्राप्त हुआ था।

[सं. एल-20012/479/98-आई.आर. (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 13th May, 2009

S.O.1664.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 114/1999) of the Central Government Industrial Tribunal/Labour Court, No. I, Dhanbad now as shown in the Annexure in Industrial Dispute between the employers in relation to the management of M/s. B. C. C. L. and their workman, which was received by the Central Government on 13-5-2009.

[No. L-20012/479/98-IR (C-I)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No. 1, DHANBAD.

In the matter of a reference U/s. 10 (1) (d)(2A) of Industrial Disputes Act, 1947.

Reference No. 114 of 1999.

Parties : Employers in relation to the management of Rajpura OCP under Mugma Area of M/s. ECL

AND

Their Workmen.

Present : Shri H.M. Singh, Presiding Officer.

APPEARANCES

| | | |
|--------------------|---|------------------|
| For the Employers | : | None. |
| For the Workmen | : | None. |
| State : Jharkhand. | : | Industry : Coal. |

Dated, the 28th April, 2009.

AWARD

By Order No. L-20012/479/98-IR (C-I) dated 4-6-1999 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management of Rajpura OCP under Mugma Area of E.C.L. regarding dismissal of Smt. Shudhli Bai, Coal Loader of Rajpura Colliery from the services w.e. f. 8-5-88 is justified ? If not, what relief the workman is entitled to?"

2. This reference was received in this Tribunal on 15-6-1999. But till 29-10-2008 none appeared on behalf of the workman to file written statement on behalf of the workman. In spite of notice being sent by speed post none appeared on behalf of the workman to file written statement. It seems that neither the concerned workman nor the sponsoring union is interested to contest the case.

3. In such circumstances, I render a 'No Dispute' Award in the present reference case.

H.M. SINGH, Presiding Officer.

नई दिल्ली, 13 मई, 2009

का.आ. 1665.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. बी.सी.सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, सं.-1 धनबाद के पंचाट (संदर्भ संख्या 192/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-5-2009 को प्राप्त हुआ था।

[सं. एल-20012/230/99-आई.आर. (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 13th May, 2009

S.O.1665.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 192/1999) of the Central Government Industrial Tribunal/Labour Court, No. I, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. B. C. C. Ltd. and their workman, which was received by the Central Government on 13-5-2009.

[No. L-20012/230/99-IR (C-I)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No. 1, DHANBAD

In the matter of a reference U/s. 10 (1) (d)(2A) of I.D. Act.

Reference No. 192 of 1999.

Parties : Employers in relation to the management of
Kusunda Area of M/s. B.C.C. Ltd.

AND

Their workmen.

Present : Shri H.M. Singh, Presiding Officer.

APPEARANCES

For the Employers : None.
For the workmen : None.
State : Jharkhand. : Industry : Coal.

Dated, the 29th April, 2009.

AWARD

By Order No. L-20012/230/99-(C-I) dated 24-11-99 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal.

अनुसूची

क्या बी.सी.सी.एल., कुसुंदा क्षेत्र द्वारा श्री रामचंद्र मंडल के अनाधिकार अनुपस्थिति के लिए एकतरफा कार्यवाही द्वारा बर्खास्त किया जाना उचित एवं न्यायसंगत है, जबकि उन्हें मानसिक रोग से ग्रस्त होने के कारण सेवा के लिए अयोग्य भी ठहराया गया। यदि नहीं तो कर्मकार किस राहत के पात्र हैं?

2. क्या यूनियन की मांग कि कर्मकार के आश्रित को नियुक्ति दी जाए तर्कसंगत है? यदि हां तो उक्त आश्रित किस राहत के पात्र हैं?

2. 4-3-2009 was fixed for appearance and for filing written statement by the workman. But neither the concerned workman nor his representative was present in spite of notice sent by speed post.

3. In view of such circumstances it is presumed that the workman is not interested to contest the case. Since 7-12-99 the workman is not taking any interest to contest the case. It is needless to keep this reference case pending further.

4. Under such circumstances, I render a 'No Dispute' Award in the present reference case.

H.M. SINGH, Presiding Officer

नई दिल्ली, 13 मई, 2009

कॉ.अ. 1666.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. बी.सी.सी. एल. के प्रबंधन के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, सं.-1 धनबाद के पंचाट (संदर्भ संख्या 195/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-5-2009 को प्राप्त हुआ था।

[सं. एल.-20012/330/99-आई.आर. (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 13th May, 2009

S.O.1666.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 195/1999) of the Central Government Industrial Tribunal/Labour Court, No. I, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. B. C. C. Ltd. and their workman, which was received by the Central Government on 13-5-2009.

[No. L-20012/330/99-IR(C-I)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL No. I, DHANBAD.**

in the matter of a reference U/s. 10 (1)(d) (2A) of I.D. Act.

Reference No. 195 of 1999.

Parties : Employers in relation to the management of
Govindpur Area of M/S. B.C.C. Ltd.

AND

Their workmen.

Present : Shri H.M. Singh, Presiding Officer.

APPEARANCES

For the Employers : None.
For the workmen : None.
State : Jharkhand. : Industry : Coal.

Dated the 29th April, 2009

AWARD

By Order No. L-20012/330/99-(C-I) dated 26-11-99 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following for adjudication to this Tribunal :

SCHEDULE

क्या कर्मकार के दुर्घटनाग्रस्त होने पर 60% विकलांग एवं धनार्जना के लिए असमर्थ पाए जाने पर भी चिकित्सक द्वारा उन्हें स्थल-कार्य के लिए समर्थ घोषित करना तथा प्रबंधन द्वारा उन्हें दूसरा काम देते समय उनका वेतन कम करना उचित एवं न्यायसंगत है। यदि नहीं तो क्या यूनियन की मांग कि कर्मकार को पुनः चिकित्सा बोर्ड भेजा जाए उचित है? यदि हां तो इस संबंध में क्या निर्देश आवश्यक है?

2. 5-3-2009 was fixed for appearance and for filing written statement by the workman. But neither the concerned workman nor his representative was present in spite of notice sent by speed post.

3. In view of such circumstances it is presumed that the workman is not interested to contest the case. Since 7-12-99 the workman is not taking any interest to contest the case. It is needless to keep this reference case pending further.

4. Under such circumstances, I render a 'No Dispute' Award in the present reference case.

H.M. SINGH, Presiding Officer

नई दिल्ली, 13 मई, 2009

का.आ.1667.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. बी.सी.सी. एल.के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं. 1, धनबाद के पंचाट (संदर्भ संख्या 24/1998) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-5-2009 को प्राप्त हुआ था।

[सं. एल-20012/285/1997-आई.आर. (सी.1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 13th May, 2009

S.O.1667.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.24/1998) of the Central Government Industrial Tribunal/Labour Court No. 1 Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. B.C.C.L. Ltd. and their workmen, which was received by the Central Government on 13-5-2009.

[No. L-20012/285//1997-IR(C-1)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference U/s. 10(1)(d)(2A) of I.D. Act.

Ref. No. 24 of 1998

Parties : Employers in relation to the management
of Kusunda Area No. VI M/s.B.C.C. Ltd.

AND

Their workmen.

Present : Shri M. M. Singh, Presiding Officer.

APPEARANCES

For the Employers : Shri D. K. Verma, Advocates.

For the Workmen : Shri C. Prasad, Advocates.

State : Jharkhand Industry : Coal.

Dated the 30th April, 2009.

AWARD

By order No. L-22012/285/1997-IR(C-1) dated 28-5-1998 the Central Government in the Ministry of Labour, has in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management in not regularising as permanent employees, the services of S/Sh. Raju Mahato and 61 others (list enclosed) Coal Handling Plant, Dhansar of M/s. BCCL is

justified? If not, to what relief the concerned workmen are entitled?"

| Name S/Sh. | Father's Name S/Sh. |
|-------------------------|---------------------|
| 1 | 2 |
| 1. Raju Mahato | Late Karmu Mahto |
| 2. Sarweshwar Rawani | Late Chandu Rawani |
| 3. Bhola Mahto | Late Adalal Mahto |
| 4. Praveen Mahto | Late Dukhan Mahto |
| 5. Shakti Chand Mahto | Guru Charan Mahto |
| 6. Bindeshwar Kumhar | Hemlal Kumhar |
| 7. Jai Nath Rawani | Late Rosan Rawani |
| 8. Doman Kumhar | Guja Kumhar |
| 9. Haradhan Mahto | Late Ahlad Mahto |
| 10. Narayan Mahto | Teju Mahto |
| 11. Binod Mahto | Kisto Mahto |
| 12. Dharm Dhiwal | Shibu Dhiwal |
| 13. Badal Dhiwar | Mahadeo Dhiwar |
| 14. Madhudhan Mahto | Hemlal Mahto |
| 15. Nepal Rawani | Kisto Rawani |
| 16. Ram Ratan Rawani | Arjun Rawani |
| 17. Chhatish Kumhar | Kali Charan Kumhar |
| 18. Bhim Pd. Mahto | Late Bhiku Mahto |
| 19. Bhagirath Pd. Mahto | Late Bhiku Mahto |
| 20. Raghu Mahto | Suraj Narayan Mahto |
| 21. Arjun Mahto | Mathur Mahto |
| 22. Jagnath Rawani | Mithu Rawani |
| 23. Kishore Kr. Rawani | Basdeo Rawani |
| 24. Mithu Mahto | Dugru Mahto |
| 25. Janki Mahto | Akalu Mahto |
| 26. Manki Mahto | Akalu Mahto |
| 27. Girdhari Mahto | Late Gopi Mahto |
| 28. Madan Mahto | Late Rupan Mahto |
| 29. Dhannu Mahto | Late Jagan Mahto |
| 30. Niramal Mahto | Late Debu Mahto |
| 31. Chola Ram Mahto | Late Debu Mahto |
| 32. Mantu Rawani | Late Maghlal Rawani |
| 33. Lazi Rawani | Chetu Rawani |
| 34. Santu Gope | Late Moti Lal Gope |
| 35. Kali Rawani | Jagesar Rawani |
| 36. Anil Rawani | Gopal Rawani |
| 37. Sona Rawani | Gopal Rawani |
| 38. Gopal Rawani | Jadu Rawani |
| 39. Aadu Rawani | Jhagru Rawani |
| 40. Khiru Rawani | Kisto Rawani |
| 41. Ghuna Rawani | Mahavir Rawani |
| 42. Chetu Rawani | Mahavir Rawani |
| 43. Biswanath Rawani | Bhaglu Rawani |

| Name S/Sh. | Father's Name S/Sh. |
|--------------------------|---------------------|
| 44. Jagdish Rawani | Sona Ram Rawani |
| 45. Satnarayan Pd. | Sahdeo Rawani |
| 46. Ganesh Rawani | Bandhu Rawani |
| 47. Hari Lal Sharma | Late Jai Sri Sharma |
| 48. Sankar Rawani | Late Ganju Rawani |
| 49. Lakhani Rawani | Late Doman Rawani |
| 50. Nokul Rawani | Late Raghu Rawani |
| 51. Mantu Rawani-I | Bhusan Rawani |
| 52. Dhiran Rawani | Sankar Rawani |
| 53. Uma Shankar Rawani | Mangaru Rawani |
| 54. Amrit Mahato | Late Aklu Mahato |
| 55. Sukdeo Rawani | Jadgish Rawani |
| 56. Lalit Kr. Nisad | Sukhalal Pd. Nisad |
| 57. Kashi Roy | Murli Roy |
| 58. Ghaltu Rawani | Bhushan Rawani |
| 59. Nakul Thakur | Late Shibu Thakur |
| 60. Pran Rawani | Amrit Rawani |
| 61. Bablu Rawani | Shankar Rawani |
| 62. Bolai Roy | Late Badal Roy |
| Total Sixty two workmen. | |

2. Written statement has been filed on behalf of the concerned workmen stating that the present dispute was sponsored by Jharkhand Colliery Mazdoor Union on behalf of the concerned workmen before the A.L.C. (C) Dhanbad. The conciliation proceeding for regularisation of the concerned workmen ended in failure and thereafter the Govt. of India, Ministry of Labour, has referred the dispute for adjudication to this Tribunal. It has been stated that all the concerned workmen have been working since 1988 for Bharat Coking Coal Ltd. through Chhotanagpur Motor Paribahan Samity Ltd. which is licence contractor in BCCL. All the concerned workmen were previously working in Area No. 8 and subsequently since March, 1993 they had been working at C.H.P. Dhansar in Kusunda Area. All the concerned workmen had been performing their duties which is of permanent and perennial nature of jobs of loading of trucks, picking and segregation of all stones/shale and extraneous materials, breaking of all over size coal, reloading of coal into Railway wagons; levelling the loaded coal into wagons of Railway, feeding in hopper for crushing the coal into pieces etc. All the works performed by the concerned workmen are supervised by the principal employer and equipments are supplied by them. The management being the principal employer provide pay loaders, tippers, equipments, other tools and materials to the concerned workmen for performing their jobs and even the pay/wages of the workers concerned are paid from counter of the principal employers. The concerned workmen have been working under the direct control and supervision of the officials of the management, such as, Project Officer, Asst. Manager, Overman and siding supervisory staff of

the colliery. The contractor has been engaged for transportation of coal which is not a job of intermittent and casual nature rather it is permanent and perennial nature which have been performed by concerned workmen from 1988 till date. The concerned workmen have completed 190/240 days attendance in each calendar year. The management has violated the provisions of contract Labour (Regularisation and Abolition) Act, 1970 in view of the fact that the concerned workmen have been working as permanent and perennial nature of jobs. There are catena of judgements of Hon'ble High Court/Supreme Court in which under their directions the Co-operative workers were regularised by the management. The management being the principal employer has adopted vindictive attitude towards the concerned workmen by not regularising them. The concerned workmen are deprived of their legal wages under NCWAs. They are being paid meagre accounts of wages in comparison with the regular workers of M/s. BCCL. It has been prayed that the Tribunal may be pleased to pass an award in favour of the concerned workmen by directing the management to regularise them with retrospective effect with back wages.

3. Written statement has been filed on behalf of the management stating that the present reference is not legally maintainable and no employer - employee relationship exists between the management and the concerned persons. It has been submitted that a few workmen bearing some names mentioned in the list of 62 workmen had worked as contractor worker under M/s. Chhotanagpur Motor Paribahan Society Ltd., in connection with transport contract of the aforesaid society and rest of the persons included in the list are job seekers. It has also been submitted that Chhotanagpur Motor Paribahan Society Ltd., is a registered co-operative society as per the provisions of Bihar Co-operative Societies Act, 1935 and it has a legal entity as per provisions of Section 13 of the aforesaid Act. After introduction of Section 13A by Amendment Act No. 5 of 1989, the State Government authorities took initiative in formation and registration of Co-operative Societies and providing contract works available in different industrial establishments situated within Dhanbad District. In this connection, the company also offered contracts on the acceptable terms of different co-operative societies and the present co-operative society was given the contract for transportation of coal by order 14-6-93 from the yard of Dhansar Opencast Project to the Coal Handling Plant. The contract jobs involved loading and unloading of coal by utilising pay-loaders and dumpers or trucks fitted with hydraulic devices for which Rs. 4.05 per tonne was fixed. For the purpose of transportation of coal from the stock yard of the OCP to the Coal Handling Plant, the rate per tonne become variable, Rs. 3.60 being the transportation charge per tonne for covering a distance upto 1 km. whereas the rate for transportation of coal per tonne from a distance of 7 to 8 km. was Rs. 12.21. It has been stated that for

maintaining proper quality of coal, it was stipulated that in the process of loading, unloading and transportation, the shale and stone intermixed with the coal should be separated and, for that, a separate rate of Rs. 3/- per tonne was paid to the aforesaid contractor. The job of shale picking in the process of loading, unloading and transportation becomes intrinsic part of the contract job and the contractor was entrusted with such job as per the terms and conditions of agreement. Thus, the contractor was engaged for transportation of coal and performance of incidental jobs on turn-key basis utilising its own machineries, operators, maintenance staff and shale pickers. It has been submitted that the Central Government has not issued any notification u/s. 10 of the Contract Labour (Regulation and Abolition) Act, 1970 prohibiting engagement of contract labour on the transportation job or shale picking jobs which becomes incidental and connected with such transportation work. As per provisions of the Contract Labour (Regulation & Abolition) Act, the Tribunal has no jurisdiction to entertain any claim for regularising all workers of contractors engaged on contract jobs on turn-key basis and where the contract is real and genuine and not camouflage. It has been stated that the contract awarded to the cooperative society concerning this case gave specific terms and conditions of the contract and on perusal of the same, it will be cleared that the contract was bona fide and genuine. It has been submitted that the selection and recruitment of the workers were made by the contractor and their works were supervised and controlled by the contractor and its supervisors and managers and they were paid by the contractor. The management had no concern in the matter of selection, recruitment, exercising control, deployment of works to them, granting leave or making payment to them etc. It has been stated that the workmen of such contractor cannot demand for their absorption under the principal employer by way of regularisation. So it has been prayed that the Tribunal be graciously pleased to pass the award holding that the concerned persons are not entitled to any relief.

4. Both the parties have filed their respective rejoinders admitting and denying the contents of some of the paragraphs of each other's written statement.

5. The management has produced MW-1- Barendra Kishore, who has proved documents, Ext. M-1 and M-2. During cross-examination he has also proved Ext. W-1. The concerned workman have produced WW-1-Raju Mahato and WW-1- Sarveshwar Rawani.

6. The management's witness MW-1 stated in examination-in-chief- "Presently I am posted as Personnel Manager at Kusunda Area of BCCL. The concerned workmen of this reference were never employed by the management. During the relevant period a Co-operative Society had been assigned the job of coal transportation.

This is the copy of work order relating to the said engagement. Marked Ext. M-1. The name of the said Co-operative Society was Chhotanagpur Motor Parivahan Sahayog Samity Ltd. This the copy of the Bye-Laws of the said Co-operative Society which had been submitted by the said Society before the management. Marked Ext. M-2. Transportation of coal does not fall within the prohibited category. The nature of work for which engagement was made stands mentioned in the work order. It is not a fact that the concerned persons of this case were being paid their wages by the management. It is also not correct that their works used to be supervised by the authorities of the management. The claim of the concerned workmen that they should be treated as the workmen of the management is not correct. The said Co-operative Society is a registered one. The demand of the concerned workmen for their employment under the management is not justified."

WW-1- Raju Mahato stated in examination-in-chief- "Presently I am working as Shale Picker in Ghanoodih Coal Handling Plant of M/s. BCCL. Earlier to that I was posted at Dhansar Coal Handling Plant in the same capacity. I have been performing the said nature of job continuously since 1988. In the present case besides me there are altogether 61 other concerned workmen. I know all of them and I am deposing today on behalf of all of them. Still we all are working as shale pickers. Some are working in Dhansar C.H.P. and some are discharging their duties in the same capacity at Ghanoodih C.H.P. We work continuously and even on holidays we are being engaged in works. We all were appointed in the said job by the officers of the management. We used to be paid our wages on daily wage basis and still the same system is continuing. We have been receiving our wages from the counter of the concerned plant. We have been performing not only shale picking job rather few other miscellaneous jobs also, such as, loading and unloading work, working as tyndal helper, cleaning the railway wagons etc. Sometimes we used to perform the job of coal crusher also. Our Union, namely, Jharkhand Colliery Mazdoor Union, had raised the dispute before the management's authority on our behalf and had taken up the matter for our regularisation, but the management had not made any response. Thereafter the said union industrial dispute on our behalf before the A.L.C. (C). Our works were being supervised by the Project Officer, Overman and Site Incharge. Besides us, the same nature of job in the Coal Handling Plant are being performed by regular workers of the management as also by the contractor's workers. We have never paid our wages as per NCWA. The nature of works being performed by us is permanent and perennial. Such nature of job is being performed on regular basis. Our claim in the instant case is for our regularisation in the services of the management as also for consequential benefits and our this claim is justified."

WW-2- Sarveshwar Rawani stated in examination-in-chief- "I was working at Dhansar Coal Handling Plant. In this case there are 61 concerned workmen. I know all of them. All of them were working in that Coal Handling Plant. We were working in this plant round the year and our attendance was for more than 240 days in a calendar year. We were working on coal breaking job and shale picking work. Sometime we used to unload and also do miscellaneous jobs. We were working in permanent and perennial nature of jobs. We are appointed by management. Our work was being supervised by the Loading Supervisor and Sometimes by higher official of the BCCL. Besides ourselves there were other regular workmen of M/s. BCCL doing the same nature of job, but we are being paid less wages than the regular workmen of BCCL. I was doing the said work from 1988 to 2002. After 2002 we have been stopped from duty without any notice or compensation. Our demand is for regularisation on re-instatement."

7. It has been argued on behalf of the management that the concerned workmen are not their employees, they are employees of the contractor, so they cannot be regularised. In this respect the workmen's representative argued that they are directly workers of the management and they are working since 1988 and they have worked for more than 190/240 days in each calendar year still then they have been stopped from duty by the management.

During argument it has also been stated by the concerned workmen's representative that the present reference was made the Government of India, Ministry of Labour on a dispute raised by Jharkhand Colliery Mazdoor Union and union authorised Sri D.S. Sinha, Advocate to represent the case before the Tribunal. Sri Sinha filed written statement under his own signature which is against the law and procedure for filing written statement of the workmen and the union filed their Addl. written statement on behalf of the workmen through Sri Raju Hari, Asstt. Secretary of the union. The management has also filed rejoinder to the Addl. written statement of the workmen. It has been argued by the representative of the workmen that the concerned workmen have been working under BCCL, but neither the identity card nor any appointment letters were issued to them only with a view to deprive them of their legal wages provided by the management to their permanent employees. The management issued to all the concerned workmen the identity cards for entering into the premises of BCCL through M/s. Chhotanagpur Motor Parivahan Sahyog Samity Ltd. alongwith the workers of Contractor and due to which the concerned workers were called cooperative workers and the poor local workers could not understand the implication for not regularising the concerned workmen. It has also been argued that very important to submit that in para 5 of the written statement of the union it is said that the concerned workmen have been working under the Principal employer through

contractor, Chhotanagpur Motor Parivahan Sahyog Samity Ltd. Kuanrda, and the reasons, it is also mentioned therein that practically the management used to employ the concerned workmen through the said cooperative to defeat the claim of the workmen in future though actually they have been working under the direct control of the management and they have completed more than 190/240 days in their work in each calendar year starting from 1988. If the workmen could not have been issued the Identity Cards through the Sahyog Samity, they could not have been allowed to enter into the premises nor they could have established any relation between the management and the concerned workmen. It has further been argued that the management have been getting the works done through (i) permanent workmen, (ii) temporary workmen and (iii) contractors' workers. The concerned workmen raised an industrial dispute before the A.L.C. (C), Dhanbad under the Industrial Disputes Act, 1947 for conciliation in the matter of regularisation of the concerned workmen after completion of 190/240 days in each calendar year and the A.L.C. (C) found in course of enquiry that the concerned workmen were working in Coal Handling Plant, Dhansar of M/s. BCCL and sent failure of conciliation report to the Ministry of Labour because the management did not agree to regularise the concerned workmen.

The management in para 3 of its written statement has admitted that a few workmen bearing some names mentioned in the list of 62 workmen enclosed to the schedule of reference had worked as contractor workers under M/s. Chhotanagpur Motor Parivahan Society Ltd. and the rest of persons mentioned in the list are job seekers. But the management did not mention the names of contractor workers and job seekers. It has also been stated that the management has pointed out all the concerned workmen as job seekers but could not establish that they are job seekers. Jharkhand Colliery Mazdoor Union is a trade union which cannot enrol the outsiders and the union can enrol members of the workers of organised sectors like BCCL and taking into consideration of averment made by the management establishes the employer-employees relationship in view of the facts that the names of members of trade union is submitted to the management.

It has been argued that all the concerned workmen were appointed and were discharging their duties at Dhansar Coal Handling Plant. All were appointed in the said job by the officers of the management and on daily wage basis and they were receiving the wages from the counter of the concerned plant. They were performing not only shale picking job rather few other miscellaneous jobs, such as, loading and unloading of coal, working as Tydal Helper, job of putting coal in hopper of coal crusher and also works were being supervised by the Project Officer, Overman and Site Incharge. WW-1 has admitted in his cross-examination that they could not receive identity card

from the management of BCCL. They were being issued identity card in the name of employee by the management through Chhotanagpur Motor Parivahan Sahyog Samity Ltd

Management's witness, MW-1- Harendra Kishore, who was Personnel Manager of Kusunda Area of BCCL, has stated that the concerned workmen were never employed by the management. During the relevant period a Cooperative Society had been assigned the job of coal transportation and the work order has been marked as Ext. M-1. The copy of the bye-law of Chhotanagpur Motor Parivahan Society Ltd. has been marked as Ext. M-2. During cross-examination the management's witness (MW-1) has admitted that he was posted at Kusunda area since 2001. During the conciliation proceeding he was not posted in the said area. He has stated that the transportation of coal used to be made from the colliery pits of Dhansar Colliery to different direction by means of dumpers, trucks, hydrolic pay loaders. This means of transportation also used to be supplied by the co-operative Society. The work of transportation of coal is being done directly by the management also. The witness has admitted that the Coal Handling Plant of Dhansar is of the management. He has further admitted that the concerned workmen used to perform all the jobs incidental to the work of coal transportation. It shows that the concerned workmen have no any concern with that of Sahyog Samity Ltd. and they were workman of the management. It has been submitted that in the schedule of reference there is no mention of engaging the contractor for performing the duty of transportation of coal and it has been mentioned that the action of the management in not regularising as permanent employees, the services of S/Shri Raju Mahato and 61 others (list enclosed) of Coal Handling Plant, Dhansar of M/s. BCCL Ltd. is justified and no where the reference is of workers of Chhotanagpur Motor Parivahan Sahyog Samity Ltd. But due to supply of identity cards by the management in the name of Chhotanagpur Motor Parivahan Sahyog Samity Ltd. the name of Sahyog Samity Ltd. was mentioned in the written statement otherwise, the management could have succeeded in substantiating their stand that there was no relationship of employer- employees in between the concerned workmen and the management.

The management has not produced any documents relating to the payment of wages to the concerned workmen by M/s. Chhotanagpur Motor Parivahan Sahyog Samity Ltd. Ext. M-1 is a letter of the management addressed to M/s. Chhotanagpur Motor Parivahan Sahyog Samity Ltd. in which rates of works are mentioned Ext. M-2 is the Bye-laws of Chhotanagpur Motor Parivahan Sahyog Samity Ltd. The existance of working of Sahyog Samity Ltd. has not been denied by the concerned workman and admittedly the job of transportation of coal were performed by their workers. The concerned workmen were working in Coal Handling Plant of Dhansar and the concerned workmen

have no concern with the workers of contractor. They used to work as shale-picker on hoppers, loading and unloading etc. which is a different job assigned to the Sahyog Samity Ltd. and nowhere these workers were said to perform the duty of transportation of coal. It has been admitted by MW-1 that the private contractors were also engaged by BCCL.

MW-1 has admitted in cross-examination stated against their own Certified Standing Orders stating that "It is not fact that as any Act or Rule or Standing Orders those workmen who have worked continuously on the surface for more than 240 days in one calendar year, are to be regularised in services of the management." It only shows that the above witness is so much biased that he could say things whereas Certified Standing Orders Clause 7.0 has insisted classification of workmen and clause 7.1 which runs as follows :

For the purpose of these Standing Orders, workmen/ employees shall be classified as follows:—

(a) Permanent, (b) Probationer, (c) Temporary, (d) Badli, (e) Casual, (f) Apprentices, And Clause 7.2 says—

"A permanent workman" is one who is employed on a job of permanent nature for a period of at least 6 months or in a permanent post as a probationer."

And in the same clause 7.5 states as follows:—

"A badli or substitute is one who is employed in the post of a permanent workman or a probationer who is temporarily absent from duties, but he would come to be a badli on completion of a continuous period of service of one year (190 days) attendance in case of an underground workman and 240 days attendance in the case of any other workmen in the same posts or posts in the same category."

It has been argued by the workmen that they are working since 1988 till wrongful termination from their services in the year 2002 without any notice or payment in lieu of notice which attracts Sec. 25-F of I.D. Act, 1947. The management did not call for any record from the Chhotanagpur Motor Parivahan Sahyog Samity Ltd. nor any evidence adduced from them to prove Ext. M-1 and Ext. M-2. Exts. M-1 and M-2 do not disclose that the workmen concerned are their workmen. The management has also violated the Sec. 25-B, sub-sec. (2) of the I.D. Act, 1947 which deals with continuous service of 190 days in case of a workman employed below ground in a mine and 240 days in any other case. Ext. W-1 has been proved by MW-1 Harendra Kishore. Ext. W-1 has been written as comments upon the application filed by the workmen through union. It is admitted position of the management that they have engaged contractor for performing the job of transportation of coal from one place to another with the rates fixed for the work entrusted to the Samity. It has been stated that the Conciliation Officer, A.L.C. (C), Dhanbad after getting the comments from the employer enquired

into the matter and found that the concerned workmen are not the workers of the contractor and the management did not agree to arbitration. Hence, failure of conciliation report was sent to the Ministry of Labour and thereafter the matter has been referred to this Tribunal. It has been argued that the concerned workmen are not the workers of the contractor which has been confirmed by the A. L. C. (C) so, this shows the camouflage on the part of the management.

8. The learned counsel of the management argued that the concerned workmen cannot be regularised in the services of M/s. BCCL. The management has referred 2001 Lab. I. C. 3856(SC) between Steel Authority of India Ltd. vs. National Union Water Front workers, therein stated that they are contractor's workers and contractor's workers cannot be automatically absorbed by the principal employer. The Hon'ble Supreme Court laid down that a beneficial legislation enacted to give effect to Directive Principles of the State Policy which is otherwise constitutionally valid, the consideration of the Court cannot be divorced from those objectives. In a case of ambiguity in the language of a beneficial labour legislation, the Courts have to resolve the quandary in favour of conferment of, rather than denial of, a benefit on the labour by the Legislature but without rewriting and/or doing violence to the provisions of the enactment. Regarding contract labour the test is whether they are working under whose authority the establishment is carrying on industry is the real test and not whether the establishment is instrumentality of Govt. under Art. 12 of Constitution. The learned counsel of the management also argued that WW-1-Raju Mahato in cross-examination stated that 'I am not the worker of the Society and other concerned workmen are also not the workers of the said Samity or Society'. He has denied that 'the said society had appointed us. We never worked under any licensed contractor for the performances of the aforesaid job. We have not been issued any pay slip'. He also argued that WW-2-Sarveshwar Rawani-stated in cross-examination-'I do not know if the sponsoring union has given in writing that we were appointed by a licensee contractor. If the sponsoring union had mentioned in the written statement that we are the worker of Chhotanagpur Motor Parivahan Samity that is incorrect. The above witness has already stated in examination-in-chief that they are working at Dhansar Coal Handling Plant i.e. of M/s. BCCL, and they are working for more than 240 days in a calendar year and they performed the work of coal breaking job, shale picking work and sometime also engaged to do miscellaneous jobs i.e. permanent and perennial nature. Our work was being supervised by the Loading supervisor and sometime by higher officials of M/s. BCCL. Besides ourselves there were other regular workers of M/s. BCCL doing the same nature of job, but we are being paid less wages than the regular workmen of BCCL. It has also been stated by WW-1 that we are paid less wages. Still we all are working as shale pickers. Some are working in Dhansar Coal Handling Plant and some are discharging their duties

in the same capacity at Ghanoodih Coal Handling Plant. We work continuously and even on holidays we are being engaged in works. We all were appointed in the said job by the officers of the management. We have been performing not only shale picking job rather few other miscellaneous job also. So, it shows that correctly that they are not the workers of the contractor because management's witness has admitted that they have been working under society which is registered under the Registration Act as per page 3 of evidence of MW-1-Harendra Kishore. He has admitted at page 2 that the Coal Handling Plant of Dhansar is of the management, and the concerned workmen said that they are working at Dhansar Coal Handling Plant of the management. It shows that the concerned workmen are working in coal transportation job under the control of the management. MW-1 in cross-examination at page 2 stated that 'I do not know whether the concerned workmen were working as hoppers at Dhansar or not. The concerned workmen used to perform all the jobs incidental to the work of coal transportation.' This statement of the management shows that the concerned workmen are performing the job of not only coal transportation but also incidental job in Coal Handling Plant of Dhansar. It has been admitted by MW-1 at page 2 that the work of transportation of coal is being done directly by the management. It shows that they are taking the work from the concerned workmen directly. By Central Government, Ministry of Labour, reference has made in this Tribunal for deciding the factor 'whether the action of the management in not regularising as permanent employees, the services of S/Sh. Raju Mahato and 61 others of Coal Handling Plant, Dhansar of M/s. BCCL is justified or not'. There is no reference regarding whether the concerned workmen are the employees of the contractor and they should be regularised or not. It shows that it only requires whether they are working with the management directly and they have worked for more than 190/240 days at Dhansar Coal Handling Plant of the management. They have also filed the details of the employees who are working with the management with photographs and demanded regularisation by the management as per their letter No. Ref.A.6/APM/95 dated 6-10-1995.

9. In this respect the concerned workmen have referred 1995 SCC(L&S) 1119 in which Hon'ble Supreme Court directed for regularisation and absorption subject to certain specific condition for absorption of workmen. They also referred (2008) Supreme Court Cases (L&S) 736 in which Hon'ble Supreme Court laid down that respondent daily-wage employees of the Cooperative Electric Supply Society praying for regularisation of their services in the state Electricity Board-Electricity Board during take over mentioned that the daily-wage employees of the Society will start working that the Electricity Board in the same manner and position. Earlier, the Electricity Board had taken decision to regularise the services of its employees working on daily-wage basis from before 4-5-1990 on the existing vacant posts. The petitioners also claiming regularisation

on the ground that they were working in the Society from before 4-5-1990 and their services stood transferred to the Electricity Board. Hon'ble Supreme Court held benefit cannot be denied. Regularisation is justified on the basis of Constitution. More so, when they had put in long period of service. They have also referred 1990 F.L.R. (60) page 20 in which Hon'ble Supreme Court laid down Prohibiting employment of contract labour in cleaning, stacking and other allied jobs, except loading and unloading of bricks from wagons and trucks. This exception clause is discriminatory-violates Art. 14-workers doing such job should be treated at par.

The learned counsel of the workmen referred 1994 LLR page 634- R. K. Panda & Ors. Vs. Steel Authority of India & Ors.— In this case their Lordships held that it need not be pointed out that in all such cases the labourers are initially employed and engaged by the contractors. As such at what point of time a direct link is established between the contract labourers and the principal employer, eliminating the contractor from the scene, is a matter which has to be established on material produced before the court. Normally, the Labour Court and Industrial Tribunal under the Industrial Disputes Act, are the competent forum to adjudicate such dispute on the basis of oral and documentary evidence. They also referred 1987 Lab. I. C. 619 in which Hon'ble Supreme Court laid down—Employment of catering cleaners by Southern Railway through contractors-Factors of Sec. 10(2) of contract Labour (Regulation & Abolition) Act, 1970 is satisfied-Southern Railway restrained from employing contract labour. They have also referred 1999 (2) LLN 612 in which Hon'ble Supreme Court laid down Contract Labour (Regulation & Abolition) Act is to be so read and interpreted so that social and economic justice may be achieved and the Constitutional directive be given a full play-Act being a beneficent piece of legislation ought to receive the widest possible interpretation. They also laid down that Electricity Board of Haryana in order to keep its plants and station clean and hygienic, awarding the work to a contractor- work not of seasonal nature-Contract itself stipulating number of employees to be engaged for the said work-overall control of working of contract labour including administrative control remaining with the Board-Board neither registered as principal employer nor contractor was licensed contractor-Held. It is clear that there was no contract system with the Board as work was of perennial nature-so-called contract system was only a camouflage-Employer-employee relationship is easily visualised-Employees who have worked for more than 240 days in a year are entitled to be absorbed permanently in the Board. Regard being had to the necessities of situation the Act provides for continuation of contract labour. Initiation of Act is not to abolish contract labour entirely-Act only regulates the working conditions of contract labour when such employment is required in the interest of industry.

However, engagement of labour force through contract to do work of perennial nature is intended to be abolished. They also referred 1962(x) LLJ-131 (SC) in which Hon'ble Supreme Court laid down-management employing Labour through Mukaddama such Mukaddams deducting their commission from out of the wages payable to the workmen so employed-the direction to the employer that the workmen no employed should be treated as the direct employers and that the mukaddama should be taken over as regular semi-skilled employees of the company. They have also referred 1964(II) LLJ-633-D. C. Dewan Mohideen Sahib & Sons & another Vs. United Bidi Workers' Union. In this case the employers were supplying bidi leaves and tobacco to the contractor and the contractor in turn were supplying the same to the workmen. The workmen were preparing bidi in their respective home and they were depositing the same to the contractor and the contractor in turn depositing the same to the principal employer. In this case the Hon'ble Supreme Court held that they are the employees of the management. The workmen also referred 2002 (2) LLJ 368-Indian Farmers Fertiliser Co-operative Ltd. Vs. Industrial Tribunal-I (Allahabad and Others) in which Hon'ble Supreme Court laid down -Appellant-employer contending that workmen were not direct employees but contract Labourers Tribunal on appreciation of facts holding that workmen were not contract labourers but were direct employees and should be deemed to be continuing in service. Whether the Tribunal traversed beyond the reference-held, when the appellant had claimed workmen to be contract workers the nature of their employment had necessarily to be decided -order of Tribunal cannot be seriously assailed. They have also referred SCLJ (Vol. 10) page 21-Saraspur Mill Co. Ltd. Vs. Ramanlal Chamanlal. In this order canteen was run through Co-operative Society and the Hon'ble Supreme Court held that the management is statutorily bound to maintain the canteen and so the employees of the canteen shall be treated as employees of the management.

10. Papers filed on behalf of the management that the medical treatment has been granted by the management. As per Ext. W-1 series the workmen, Lakhani Rawani, Binod Mahato, Janki Mahato and Raju Mahato have been given medical treatment by the management. It shows that they were working with the management, so they have been given medical treatment by the management. There is also documents which have been filed by the workmen which show that the work were allotted by the management to the society for doing job of cleaning of stones and doing the work in garden. It shows that those works taken by the management are of permanent and perennial in nature.

11. The management has admitted in its written statement at paras 6 & 7 that some of the workmen have worked in their establishment, but they have not named those workmen. It shows that the management does not want to come with a clean hand. The management's

witness, MW-1 stated that payment is made to the society, but they have not filed any payment-sheet or wage-sheet regarding payment to the society. It only shows that the payment was made to the concerned workmen through society to whom that payment is made at the rate prescribed in Ext. M-1. The management's witness stated that the work performed by the concerned workmen are same that of permanent workmen and the permanent employees of the management got more wages than that of these workmen. It shows that they do not want to give full wages to the concerned workmen.

12. Another ground advanced on behalf of the workmen regarding same award has been passed by the Tribunal for regularisation of the workmen in Reference No. 40/96 and 46/96- Annexure-7 with Ext. W-1 series, by order dated 23-9-96.

The management's witness MW-1 clearly admits that M/s. BCCL, is a public sector undertaking and they have taken from the society which is registered under an Act being promulgated by the Government. He denied that the concerned workmen are the workmen of the management. It only shows that he does not want to say the truth. But it supports the case of the workmen when the management's witness admitted that they used to perform all the jobs incidental to coal transportation and loading and unloading. He has stated that the work of transportation of coal is being done directly by the management. It only shows that the work of transportation of coal is done by the management's workmen as well as contract workman. Ext. W-1 shows that the management has given reply to the A.L.C. (C) in rejoinder that no contract labour is allowed to be engaged by the contractor on loading jobs of coal, Management's witness MW-1 admitted that incidental work is also done by the concerned workmen. Moreover, Ext. W-1 at para 4 indicates that picking of shale and stone is awarded to a contractor on turn key basis. It shows that shale picking is also done by the concerned workmen which has been admitted by the management, (Ext. W-1) and also in Ext. W-1 it has been said by the management that some few contract workmen are doing their jobs who are outsider, but not mentioned the name of those workman. In para 6 of Ext. W-1 it is mentioned that the persons casually are demanding that shale pickers should be regularised as shale pickers. It only shows that the concerned workman are working as shale pickers but they do not get wages as per management's shale pickers. At para 6 of Ext. W-1 the management has admitted that shale picking jobs if integral part of the contract of transportation and as such the contractor cannot be debarred from engaging any shale picker. Para 8 of Ext. W-1 shows that the contract work is done by contract workers.

13. In view of the above facts and law laid down by Hon'ble supreme Court I come to the conclusion that the concerned workman are entitled for regularisation and they

should be regularised in General Mazdoor Category-I within six months, Subject to age 2 their medical fitness.

14. Accordingly, the following award is rendered- The action of the management in not regularising as permanent employee, the services of S/Sh. Raju Mahto & 61 others (list enclosed) of Coal Handling Plant, Dhansar of M/s. BCCL is not justified and hence the concerned are entitled for regularisation as Category-I General Mazdoor. The management is directed to regularise the concerned workmen as Category-I General Mazdoor within six months from the date of publication of the award, subject to medical fitness.

H.M. SINGH, Presiding Officer

नई दिल्ली, 13 मई, 2009

का.आ. 1668 .—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. बी.सी.सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं.-I, धनबाद के पंचाट (संदर्भ संख्या 122/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-05-2009 को प्राप्त हुआ था।

[सं. एल-20012/47/99-आई.आर.(सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 13th May, 2009

S.O. 1668.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 122/ 1999) of the Central Government Industrial Tribunal/Labour Court, No. I, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. B.C.C. Ltd. and their workman, which was received by the Central Government on 13-05-2009.

[No. L-20012/47/99-IR (C-I)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No. I, DHANBAD

In the matter of a reference U/s. 10(1) (d) (2A) of I.D. Act.

Reference No. 122 of 1999

Parties : Employers in relation to the management of Govindpur Area of M/s. B.C.C. Ltd.

AND

Their Workman.

Present : Shri H.M. Singh, Presiding Officer

APPEARANCES

For the Employers : Shri D.K. Verma, Advocate.

For the Workman : Shri S.N. Goswami, Advocate.

State : Jharkhand.

Industry : Coal.

Dated the 30th April, 2009

AWARD

By Order No. L-20012/47/1999-IR(C-I) dated 4-6-99, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 referred the following dispute for adjudication to this Tribunal :

SCHEDULE

“Whether the action of the management of BCCL Govindpur Area in not regularising Shri Ganesh Bhuia as the designation of U.G. Munshi is justified? If not, what relief the concerned workman is entitled?”

2. Shri S.N. Goswami, Advocate, appearing on behalf of the concerned workman filed a petition dated 26-3-2009 alongwith copy of office order issued by General Manager (P & IR), BCCL, Koyla Bhawan, Dhanbad. It appears from the petition that the concerned workman does not want to contest the case further.

3. In view of such circumstances I pass a ‘No Dispute’ Award in the present reference case.

H. M. SINGH, Presiding Officer

नई दिल्ली, 13 मई, 2009

का.आ.1669.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. बी.सी.सी. एल. के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं.-I, धनबाद के पंचाट (संदर्भ संख्या 216/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-05-2009 को प्राप्त हुआ था।

[सं. एल-20012/321/2001-आईआर(सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 13th May, 2009

S.O.1669.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.216/2001) of the Central Government Industrial Tribunal-cum-Labour Court, No. I, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. B.C.C. Ltd. and their workman, which was received by the Central Government on 13-05-2009.

[No. L-20012/321/2001-IR (C-I)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No. I, DHANBAD

In the matter of a reference U/s. 10(1) (d) (2A) of I.D. Act.

Reference No. 216 of 2001

Parties : Employers in relation to the management of Bastacola Area of M/s. B.C.C. Ltd.

AND

Their Workman

Present : Shri H.M. Singh, Presiding Officer

APPEARANCES

For the Employers : Shri S.N. Sinha, Advocate.

For the Workman : Shri D. Mukherjee, Advocate.

State : Jharkhand Industry : Coal

Dated the 20th April, 2009

AWARD

By Order No. L-20012/321/2001-IR(C-I) dated 24-9-2001, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 referred the following dispute for adjudication to this Tribunal :

“Whether the demand of Janta Shramik Sangh for employment on compassionate ground of the second wife Smt. Barni Devi widow of the Ex-Storekeeper, deceased workman, Late Sharat Chandra Rajwar of Alakdiha Coal Dump, Bastacolla Area of M/s. B.C.C.L. is legally correct and justified? If not, what relief the concerned worker is entitled?”

2. Written statement has been filed by the workman/ union stating Late Sarat Chandra Rajwar was a permanent employee and ex-storekeeper of Alakdiha Coal Dump of M/s. B.C.C. Ltd. and he died on 7-2-93 during the tenure of his service. It has been stated that the concerned deceased workman left behind him after his death, his dependent as his second wife, Smt. Barni Devi and his other dependents. It has also been stated that after the death of the deceased workman, his second wife Smt. Barni Devi, legally entitled for employment on compassionate ground under the provisions of para 9-3-1 of NCWA-V in place of her deceased husband and accordingly submitted application in time which was duly received on 13-12-94 in the office of the management. She also further submitted applications on 6-4-95, 7-4-95 and 31-5-97. Besides this, Smt. Barni Devi had been writing to the management reiterating her demand for her employment on compassionate ground in place of her deceased husband. The widow second wife Smt. Barni Devi of the deceased workman submitted all duly filled in required forms to the management in time for her employment which were duly received in the office of the management in time. It has also been stated that Block Development Officer, Jharia, vide his letter No. 1123 dated 30-8-94 sent his enquiry report in proof of genuinity of Smt. Barni Devi and bonafide in her claim for employment in place of her deceased husband to Dump Manager, Alakdiha Coal Dump. It has been stated that in response to letter No. 3056 dated 19/20-1-95 of Shri R. S. Ram, Personnel Manager (MP & R) Koyla Bhawan, Headquarters of BCCL

addressed to the Sr. Personnel Officer, Bastacola Area of BCCL, necessary papers in proof of the death of the first wife of the deceased workman, papers in proof of marriage of the deceased workman with the second wife Smt. Barni Devi including date of the said marriage, papers in proof of nomination of the second wife. Smt. Barni Devi in Gratuity Form 'F' and papers in proof of availing of LTC/LLTC by the deceased alongwith his second wife Smt. Barni Devi and others were furnished to Shri R.S. Ram, Personnel Manager (MP&R), to enable the Koyla Bhawan, Headquarters of BCCL to process the case for employment of Smt. Barni Devi, widow second wife of the deceased. But the application for employment of Smt. Barni Devi on compassionate ground in place of her deceased husband under the provisions of para 9.3.1 of NCWA-V was regretted by the management vide letter dated 10-6-2000 with inordinate delay after submission of her application duly recieved by the management on 13-12-94. There is no provisions in NCWA-V or in any NCWA to deny employment to second wife in place of deceased husband dying while in employment under the provisions of NCWA-V or any NCWA in case of non-existence of first wife, the action of the management to consider second widow wife of the deceased not entitled for employment is most arbitrary being violative of NCWA-V or any NCWA. Thereafter, an industrial dispute was raised before A.L.C. (C) and the conciliation proceeding was ended in failure and thereafter this reference has been made by the Ministry of Labour to this Tribunal for adjudication. It has been submitted that the action of the management in not giving employment on compassionate ground to the widow second wife Smt. Barni Devi of the deceased late Sarat Chandra Rajwar under the provisions of NCWA-V is legally incorrect and unjustified. Accordingly, it has been prayed that the Tribunal may be graciously pleased to direct the management to provide employment on compassionate ground to Smt. Barni Devi, widow second wife of deceased late Sharat Chandra Rajwar, Ex- storekeeper of Alakdiha Coal Dump under Bastacola Area of M/s. BCCL who died while in service on 7-2-93.

3. The management has filed written statement stating that late Sharat Chandra Rajwar was an employee on the roll of Bastacolla Area who died during his service period in 1993. There is provision to provide employment to second wife of the employee in N.C.W.A. As per clause 9.3.1 of NCWA-V employment would be provided to one dependent of worker who are disabled permanently and also to those who die while in service. However, the case of Smt. Barni Devi, widow of Late Sharat Chandra Rajwar was referred to Headquarters at Koyla Bhawan, who after examining the case in details, intimated that the demand for employment of such Barni Devi was not justified and accordingly it was regretted by the competent authority at Headquarter vide their letter No. BCCL/PA-VI/3(13)/Area IX/33/95/9947 dated 16-5-2000. The decision of the management has also been communicated to Smt. Barni Devi vide Bastacolla Area's letter dated 10-6-2000. In view of the above the concerned lady is not entitled to any relief whatsoever. It has been prayed that the Tribunal be pleased to give the award accordingly.

In rejoinder, the management has stated that the second wife of the deceased employee is not the dependent of Late Sharat Chandra Rajwar as per provision of clause 9.3.1 of NCWA-V. In absence of any documentary proof that the deceased employee married Smt. Barni Devi after the death of his first wife and in absence of any proof with the management her case for employment was not considered. It has been submitted and prayed to reject the prayer/claim of the union/workman.

4. In rejoinder to the written statement of the management, the workman/union has stated almost same things as have been stated in the written statement.

5. The management has produced MW-1-Rakesh Kumar Jha, who has produced Ext. M-1. During cross-examination he has proved Ext. W-1.

The concerned workman has produced WW-1-Barni Devi, in support of her case, WW-2-Terapada Rajwar has been produced in support of the case of dependent wife of late Sharat Chandra Rajwar.

6. Learned counsel of the workman argued that the concerned lady, Smt. Barni Devi, was the second wife of late Sharat Chandra Rajwar who died in the year 1993 during the tenure of his service and he was permanent employee of Alakdiha Coal Dump of M/s. BCCL. As per NCWA 9.3.2. and 9.3.3, the wife is entitled for employment as dependant if her husband dies during the tenure of his service. He also argued that the first wife of late Sharat Chandra Rajwar namely, Balika Devi died in the year 1968 and thereafter Sharat Chandra Rajwar married Smt. Barni devi in the year 1970. But the management refused to give employment to Barni Devi on the ground that she is second wife. No enquiry was conducted on behalf of the management. Under the provision of NCWA-V the wife is entitled for employment, but the management violated the settlement.

7. Learned counsel of the management argued that she is not entitled for employment because of the fact that she (Barni Devi) is the second wife of late Sharat Chandra Rajwar. But this ground is not applicable on the ground that as per Ext. W-1 letter has been written by the management Bastacolla Area to the Dy. Personnel Manager (MR&R), Koyla Bhawan dated 7-8-99 in which the date of marriage of Barni Devi with late Sharat Chandra Rajwar has been mentioned as 15-3-70 Management's witness has stated in cross-examination that he does not know if the first wife of Sharat Chandra Rajwar had died in the year 1968. Not only this but in service excerpt of Late Sharat Chandra Rajwar the name of Smt. Barni Devi appears as wife. It shows that she was the wife of late Sharat Chandra Rajwar, but this also not been considered by the management illegally and arbitrarily. Not only this MW-1 stated in cross-examination that "I do not know if the concerned workman Sharat Chandra Rajwar had married with Barni Devi after the death of first wife in the year 1970". He also stated that in the dependent list of concerned workman the name of Barni Devi finds place. It shows that in the record of the management the name of Smt. Barni Devi finds place as dependent of late Sharat Chandra Rajwar, even then the management has not

provided her employment. Moreover, the management had taken seven years to deny the employment though as per application moved by Smt. Barni Devi, she had filed application in the year 1994 after the death of her husband. In this respect the management's witness stated "I cannot say the reason behind keeping the matter pending for a long time. Upto the year 1999 there was correspondence between the claimant and the management." This witness also stated in cross-examination—"I do not know if there was any enquiry by the management regarding the death or otherwise of the first wife of Sarat Chandra Rajwar.

8. MW-1-Rakesh Kumar Jha stated in cross-examination that "I do not know if Barni Devi along with her application had filed death certificate of the first wife of Sarat Chandra Rajwar and marriage certificate of the claimant with Sarat Chandra Rajwar. The management has not made any enquiry whether late Sarat Chandra Rajwar had any son or daughter from his first wife. In this respect WW-1-Barni Devi-stated in her examination-in-chief-"Sarat Chandra Rajwar, who is now dead, was my husband. He used to work at Alakdin Coal Dump, Bastacola area of M/s. BCCL. He was employed in the services of the management in the year 1971. My husband died in the year 1993. He has left behind his six heirs and legal representatives. Besides me there are four sons and one daughter. They are all being looked after by me and they all live with me also. My eldest son is aged about 34 years and he is presently working as a 'mistry'. After the death of my husband I represented before the management for payment of gratuity and P.F. amount of my deceased husband whereafter I was being paid the same. I had also applied for providing one the employment in place of my deceased husband. I was married to my husband in the year 1970. In Ration Card my name figures as the wife of my deceased husband. In the records of the management also my name finds mentioned as his wife. Despite the fact that I am the wife of the deceased I have not been provided with employment as yet by the management and I have been harassed and have suffered on account of that reason."

WW-2-Tarapada Rajwar-stated in examination-in-chief-"Sarat Chandra Rajwar, ex-employee of Bastacola Area of M/s. BCCL was well known to me and he was my neighbour. I knew him since the year 1958. The name of his first wife was Balika Devi. She died sometime in the year 1968. As at that time I was out of station I had not attended her funeral ceremony. After the death of his first wife Sarat Chandra Rajwar got married for the second time in the year 1970 and the name of his second wife was Barni Devi. I was very much present in the said marriage. Sarat Chandra Rajwar was employed soon after the nationalisation of coal industry i.e. after 1971. Sarat Chandra Rajwar died in the year 1993 leaving behind his second wife, two sons and one daughter from the second marriage and two sons from the first marriage. Sarat Chandra Rajwar died during his period and after his death his second wife submitted an application before the management for providing employment to her on compassionate ground in place of her husband, but no response was made by the management. The action of the management in not providing employment to the dependant of the deceased

employee, as such, is not justified." The management violating the settlement of NCWA-V rejected the dependent employment only on the ground that Barni Devi is the second wife late Sarat Chandra Rajwar. As per letter by the management of Bastacola Area dated 20-9-96 the photo copy of marriage certificate with Sarat Chandra Rajwar has also been given to the Dy. P. M.(MP&R), Koyla Bhawan, but the management deliberately without considering any reason only rejected on the ground that she is second wife, though original certificate has been given to the management as per Ext. W-1 and also a number of applications have been moved before the management.

In this respect Hon'ble Supreme Court in 2007 (115) FLR 427 held—"Industrial Disputes Act, 1947—section 18(3)—settlement—known as National Coal Wage Agreement (N.C.W.A.) V—providing for appointment of dependents of deceased employees working in coal mines—Appellant, in terms of said settlement applied for appointment on compassionate ground on the death of his father, a coal mine worker—who died in harness—Appellant's application in the first instance turned down on the ground that he was a minor—Held, turning down again of the appellant's application moved after he attained majority, on ground of same being beyond six months, period of limitation—Not legally justified—said period of limitation mentioned in circular dated 12-12-1995 was not statutory. As same was not part of the original judgement and order of the High Court not sustainable—and set aside as such—Respondent directed to offer appointment to the appellant on a suitable post within 8 weeks—Appeal allowed with costs throughout.

Industrial Disputes Act, 1947—Section 18(3)—settlement within the meaning of Section 18(3)—Binding on both the parties—And continues to remain in force unless the same is altered, modified or substituted by another settlement."

It shows that the settlement which has been entered into between the parties that cannot be ignored by the parties and it has to be respected or observed.

9. In view of the discussions made above, I come to the conclusion that the demand of Smt. Barni Devi for dependent employment with retrospective effect with all arrear of wages is legal and justified.

10. Accordingly, I render the following award—

The demand of Janta Shramik Sangh for employment on compassionate ground of the second wife, Smt. Barni Devi, widow of the Ex-storekeeper deceased workman, Late Sharat Chandra Rajwar of Alakdiha Coal Dump, Bastacolla Area of M/s. B.C.C.L. is legally correct and justified. Hence, Smt. Barni Devi, widow wife of deceased workman, late Sharat Chandra Rajwar, is entitled for employment with effect from January, 1994 with all arrear of wages. The management is directed to provide employment to Smt. Barni Devi, widow wife of deceased workman, late Sharat Chandra Rajwar with effect from January, 1994 with all arrear of wages within 30 days from the date of publication of the award.

H. M. SINGH, Presiding Officer

नई दिल्ली, 13 मई, 2009

का.आ.1670.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. बी.सी.सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं.-I, धनबाद के पंचाट (संदर्भ संख्या 75/1998) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-05-2009 को प्राप्त हुआ था।

[सं. एल-20012/712/97-आईआर(सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 13th May, 2009

S.O.1670.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.75/ 1998) of the Central Government Industrial Tribunal/Labour Court, No. I, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s B.C.C. Ltd. and their workmen, which was received by the Central Government on 13-05-2009.

[No.L-20012/712/97-IR(C-I)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL No. I, DHANBAD**

In the matter of a reference U/s. 10(1)(d)(2A) of I.D. Act.

Reference No. 75 of 1998

Parties : Employers in relation to the management of
Jealgora Colliery of M/s. BCCL.

AND

Their Workman.

Present : Shri H.M. Singh, Presiding Officer.

APPEARANCES

For the Employers : Shri H. Nath, Advocate.

For the Workman : Shri K.N. Singh Advocate.

State : Jharkhand. Industry : Coal.

Dated the—April.2009.

AWARD

By Order No. L-20012/712/97-IR(C-I) dated 10-9-98, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 referred the following dispute for adjudication to this Tribunal :

“Whether the action of the management of Jealgora Colliery of M/s. BCCL in dismissing Sri Bachkan Prasad, Ex-Cap Lamp Clerk from the services of the company is legal & justified? If not, what relief the workman is entitled?”

2. Written statement has been filed on behalf of the concerned workman stating therein that the workman was dismissed from the service of the company with effect from 14-10-1986. He was appointed in the year 1980 as son-in-law of Gour Kamin under V.R.S. Scheme (Female) who was an employee of Bhulan Bararee Colliery. After long service the management raised the question that the workman is not son-in-law of Smt. Gouri Kamin and had sought employment fraudulently, consequent of which he was charge-sheeted by the management on 27-2-1986/5-3-86. The charge-sheet is evidently vague, unspecified based on false and fabricated report in as much as it does not reveal the precise nature of misconduct alleged against the workman. At the time of providing employment it was given after proper identification and verification as far back as about seven years before. The workman submitted his reply to the chargesheet on 17-4-86. The concerned workman was called on different dates in the year 1986 but the enquiry was not conducted as the complainant did not present in the enquiry. As per the provision of the Standing Orders the enquiry should have been conducted ex-parte but it was not done. In the charge-sheet it was alleged that Bachkan Prasad was not the son-in-law of Smt. Gouri Kamin. Thereafter industrial dispute was raised and on failure of conciliation proceeding this reference has been made. It has been stated that the action of the management in dismissing the concerned workman from service without supported by valid evidence is not justified. It has been prayed that the Tribunal be pleased to hold that the action of the management in dismissing the concerned workman is not justified and further be pleased to pass an award for re-instatement of the workman inservice with full back wages from the date of dismissal.

3. The management has filed written statement stating that the present reference is not maintainable both in law and facts. It has been stated that Bachkan Prasad, Cap-Lamp-Clerk, was working as a Store Clerk in Jealgora Colliery. He entered into employment of the company declaring himself the son-in-law of Gouri Kamin, who was never inroll of Bhulan Bararee Colliery. The concerned workman was initially appointed as Miner/Loader under Voluntary Retirement (Female) Scheme by fraudulent and dishonest manner by concealing the facts about his genuinity. When the matter was brought to the knowledge of the management, it was enquired into and it was found that the allegation levelled against him was correct. He was accordingly charge-sheeted vide chargesheet No. AJ/Charge-Sheet/151-60 dated 27-2-86/9-3-86. After issue of the charge-sheet a departmental enquiry was held in which the concerned workman fully participated and full

opportunity was given to defend his case. The Enquiry Officer conducted the enquiry according to the Rules of Natural Justice. The Enquiry Officer found the charges proved and with due approval the concerned workman was dismissed from service w.e.f. 14-10-86. It has been stated that the dispute was raised after delay of more than ten years, which makes a stale demand which is not maintainable in view of the various decisions of the Hon'ble Supreme Court and High Courts. It has been prayed that an award be passed in favour of the management.

4. Both the parties have filed their respective rejoinders admitting and denying the contentions of some of the paras of each other's written statement.

5. The management has produced MW-1-Bipin Bihari Rai, who has proved Ext. M-1 to M-4.

The concerned workman has produced WW-1-Bachkan Prasad and he has proved Exts. W-1 to W-7.

6. Regarding fairness of enquiry vide order dated 13-8-2008 the enquiry was held to be not fair and proper.

7. Main argument advanced on behalf of the workman is that he was son-in-law of Smt. Gouri Kamin who has taken V.R.S. Scheme (Female) who was an employee of Bhulan Bararee Colliery. On this ground he was under that scheme appointed as Cap Lamp Clerk with the company and later he was transferred to another colliery. Chargesheet has been issued on the ground of getting fraudulent employment dated 27-2-86/5-3-86. The enquiry was held not to be fair and proper. The concerned workman has not filed any paper regarding employment of Gouri Kamin on which basis he was employed and given employment by the management as son-in-law of Smt. Gouri Kamin. On the basis of V.R.S. (Female) of Gouri Kamin, the concerned workman has taken employment and Gouri Kamin was not at all in the employment. So existing of the concerned workman is not possible when V.R.S. was taken, as per allegation of the concerned workman, by Gouri Kamin and Gouri Kamin was not at all in the employment under the management, so no V.R.S. and employment can be given to the concerned workman on the basis of V.R.S. of Gouri Kamin. In this respect the concerned workman, WW-1, stated in cross-examination that "I have got no paper to show that Gouri Kamin was working at Bhulan Bararee Colliery."

8. Regarding statement of MW-1, he has stated in examination-in-chief—"Presently I am posted as Dy. Personnel Manager at Jealgora colliery. On the basis of the documents I know the facts of the present case. The concerned workman had been appointed at Jealgora colliery in place of Gouri Kamin who used to work at Bararee colliery, as wagon Loader and retired under V.R.S. Scheme. The employment was offered to the concerned workman as he claimed himself to be son-in-law of the said lady. The said lady, Gouri Kamin was never on the roll of the

management of Bhulan Bararee colliery. When this fact was detected the chargesheet was issued against the concerned workman. This is the copy of the said chargesheet dated 27-2-86/5-3-86, marked Ext. M-1. An enquiry was thereafter conducted by A.K. Srivastava, Dy. Personnel Manager in which the concerned workman fully participated. Upon the completion of enquiry the said Enquiry officer submitted the report after finding the charge established against the concerned workman. On the basis of the said report a letter of dismissal was issued. This is the said letter dated 14-10-86 under the signature of P.K. Sinha, the then Agent of the said colliery by which the dismissal of the concerned workman from his service was communicated, marked Ext. M-2. Sri A.K. Srivastava who had conducted the enquiry is no more. This is the letter dated 3-3-97 submitted before the A.L.C. (C) by which the industrial dispute was raised by the union, marked Ext. M-3. This is another letter dated 18-8-97 submitted before the ALC (C) by the union. Marked Ext. M-3/1. This letter dated 18-6-97 is under the signature of the then Manager, R.N. Mishra sent to the ALC(C), marked Ext. M-4. The enquiry proceeding papers have become untracable and so far that reason the same have not been produced in the instant case from the side of the management." It only shows that the concerned workman was employed and got employment on the basis of V.R.S. of Gouri Kamin. He has not examined Gouri Kamin in the enquiry proceeding or in the Court so that Gouri Kamin may state the fact that she was employed and the concerned workman got employment on the basis of her V.R.S.

9. The management argued that the above dispute has arisen after ten years. The concerned workman was dismissed in the year 1986 and the present case has been referred on 10-9-1998. It shows after about ten years he raised the dispute which only shows that he may be son-in-law, but when Gouri Kamin was not employed, the concerned workman cannot be given employment on the basis of V.R.S. of Gouri Kamin. In the circumstances of the case it shows that a person who got fraudulent employment he cannot be remained in the service of the management. The concerned workman in his cross-examination has admitted that he has got no paper to show that Gouri Kamin was working at Bhulan Bararee colliery.

10. In view of the above discussions, I come to the conclusion that since Gouri Kamin was not in the employment of the management the question of V.R.S. by Gouri Kamin does not arise and in that view of the matter the dismissal of the concerned workman is legal and justified.

11. Accordingly, I render the following award—

The action of the management of Jealgora colliery of M/s. BCCL in dismissing Sri Bachkan Prasad, Ex-Cap Lamp Clerk from the services of the company is legal and justified and the concerned workman is not entitled to any relief.

H. M. SINGH, Presiding Officer

नई दिल्ली, 13 मई, 2009

क्र.आ. 1671.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. बी.सी.सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय संख्या-I, धनबाद के पंचाट (संदर्भ संख्या 72/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-5-2009 को प्राप्त हुआ था।

[सं. एल-20012/85/2002-आई.आर.(सी-I)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 13th May, 2009

S.O. 1671.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 72/2002) of the Central Government Industrial Tribunal-cum-Labour Court, No-I, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. B.C.C.L. and their workman, which was received by the Central Government on 13-5-2009.

[No. L-20012/85/2002-IR(C-I)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 1) DHANBAD.

In the matter of a reference under section 10(1) (d) (2A) of the Industrial Disputes Act, 1947.

Reference No. 72 OF 2002

Parties:—Employers in relation to the management of Govindpur Area of M/s. B.C.C.L.

And

Their workman

Present: Shri Hari Mangal Singh, Presiding officer

APPEARANCES

For the Management : None

For the Union Sri S. N. Goswami, Adv.

State:- Jharkhand. Industry :-Coal

Dated 30-4-2009

AWARD

By order No. L-20012/85/2002-IR (C-I) dated 17-7-2002 the Central Government in the Ministry of Labour has in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal:—

“ क्या भा. को. को. लिमि. गोविन्दपुर क्षेत्र III के प्रबंधन द्वारा कर्मकार श्री वसुदेव घसौधी ग्रेड II A दिनांक 7-1-93 से नियमित न किया जाना तथा यथा समय 6-1-99 से क्लेरिकल-ग्रेड I में पदोन्नत न किया जाना उचित एवं न्यायसंगत है? यदि नहीं तो कर्मकार किस राहत के पात्र हैं तथा किस तारीख से?”

After having received the Order No. L-22012/85/2002-IR (C-I) dt. 17-7-2002 the aforesaid reference from the Government of India, Ministry of Labour, New Delhi for adjudication of the dispute a reference case No. 72 of 2002 was registered on 2-8-2002. On 26-3-2009 Sri S.N. Goswami, Advocate appears and file a letter of authority on behalf of Sponsoring Union as well as withdrawal petition. It appears from the withdrawal petition that workman/ Sponsoring Union does not want to contest the case. because management is agree to regularise the concern workman in clerical grade III with pay protection.

In view of such circumstance. I pass a No Dispute Award in present Reference case.

H. M. SINGH, Presiding Officer

नई दिल्ली, 13 मई, 2009

क्र.आ. 1672.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. ई.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय संख्या-I, धनबाद के पंचाट (संदर्भ संख्या 193/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-5-2009 को प्राप्त हुआ था।

[सं. एल-20012/231/1999-आई.आर.(सी-I)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 13th May, 2009

S.O. 1672.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 193/1999) of the Central Government Industrial Tribunal-cum-Labour Court, No-I, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. E.C.L. and their workman, which was received by the Central Government on 13-5-2009.

[No. L-20012/231/1999-IR(C-I)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 1) DHANBAD.

In the matter of a reference under section 10(1) (d) (2A) of the Industrial Disputes Act, 1947.

Reference No. 193 of 1999

Parties:—Employers in relation to the management of Mugma Area of M/s. E. C. L.

And

Their workman

Present: Shri Hari Mangal Singh, Presiding officer

APPEARANCES

For the Management None

For the Union None

State:- Jharkhand. Industry : Coal

Dated 20-4-2009

AWARD

By order No. L-20012/231/1999-IR (C-I) dated 24-11-1999 the Central Government in the Ministry of Labour has in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal:—

SCHEDULE

क्या ई. सी. एल. के मुगमा क्षेत्र के प्रबंधन द्वारा दिनांक 30-11-95 से श्री श्याम कुमार गौड़, अण्डर ग्राउंड लोडर, की सेवाएं समाप्त किया जाना विधिवत् एवं न्यायोचित है? यदि नहीं तो कर्मकार किस राहत का पात्र है?

After having received the Order No. L-22012/231/1999-IR (C-I) dt. 24-11-1999 the aforesaid reference from the Government of India, Ministry of Labour, New Delhi for adjudication of the dispute a reference case No. 193 of 1999 was registered on 7-12-1999 but till 4-3-2009 no written statement or claim was filed. Ultimately one notice was issued to the Sponsoring union for filing of written statement by speed post but till 4-3-2009 no one appeared nor any steps have been taken by them.

In view of such circumstance it seems that the workman or the Union is not interested to contest their case further.

In such circumstance. I pass a **NO DISPUTE** Award in present Reference case.

H. M. SINGH, Presiding Officer

नई दिल्ली, 13 मई, 2009

का.आ.1673.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. बी.सी.सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय संख्या-I, धनबाद के पंचाट (संदर्भ संख्या 36/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-5-2009 को प्राप्त हुआ था।

[सं. एल-20012/418/1999-आई.आर.(सी-I)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 13th May, 2009

S.O. 1673.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.36/2000) of the Central Government Industrial Tribunal-cum-Labour Court, No-I, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. B.C.C.L. and their workman, which was received by the Central Government on 13-5-2009.

[No. L-20012/418/1999-IR (C-I)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 1) DHANBAD.
In the matter of a reference under section 10(1) (d) (2A) of the Industrial Disputes Act, 1947.

Reference No. 36 of 2000

Parties:— Employers in relation to the management of Govindpur Area of M/s. B.C.C.L.

And

Their workman

Present : Shri Hari Mangal Singh, Presiding Officer

APPEARANCES

For the Management : None

For the Union : None

State:- Jharkhand. Industry :-Coal

Dated 28-4-2009

AWARD

By order No. L-20012/418/1999-IR (C-I) dated 20-1-2000 the Central Government in the Ministry of Labour has in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :—

SCHEDULE

क्या बी. सी.सी. एल. गोविन्दपुर क्षेत्र के प्रबंधन द्वारा श्री परमानन्द पाण्डेय को उनके कनिष्ठ कर्मकार को स्पेशल ग्रेड दिए जाने की तारीख अथवा उससे पूर्व स्पेशल ग्रेड न दिया जाना न्यायोचित है यदि नहीं तो कर्मकार किस राहत का पात्र है तथा किस तारीख से ?

After having received the Order No. L-22012/418/1999-IR (C-I) dt. 20-1-2000 the aforesaid reference from the Govt. of India, Ministry of Labour, New Delhi for adjudication of the dispute a reference case No. 36 of 2000 was registered on 27-1-2000 but till 6-3-2009 no written statement or claim was filed. In spite of notice sent by speed post but till 6-3-2009 no one appeared nor any steps have been taken by them.

In view of such circumstance it seems that the workman or the Union is not interested to contest their case further.

In such circumstances. I pass a **NO DISPUTE** Award in present Reference case.

H.M. SINGH, Presiding Officer

नई दिल्ली, 13 मई, 2009

का.आ.1674.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. बी.सी.सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, सं.-I, धनबाद के पंचाट (संदर्भ संख्या 16/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-5-2009 को प्राप्त हुआ था।

[सं. एल-20012/239/1999-आईआर(सी-I)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 13th May, 2009

S.O. 1674.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.16/2000) of the Central Government Industrial Tribunal-cum-Labour Court, No.-I, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. B.C.C.L. of India and their workmen, which was received by the Central Government on 13-5-2009.

[No. L-20012/239/1999-IR (C-I)]

SNEH LATA JAWAS, Desk Officer
ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (No. 1), DHANBAD**

In the matter of a reference U/S. 10(1) (d) (2A) of
Industrial Disputes Act, 1947

Reference No. 16 of 2000

Parties:—Employers in relation to the management of
Govindpur Area of M/s. B.C.C.L.

And

Their workman

Present: Shri H. M. SINGH, Presiding Officer

APPEARANCES

For the Management : None.

For the Union : None.

State : Jharkhand. Industry : Coal

Dated, 21st April, 2009

AWARD

By Order No. L-20012/239/1999-IR (C-I) dated 20-12-99 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :—

“Whether the action of the management of BCCL, Govindpur Area to dismiss Shri Jageshwar Manjhi from service is justified? If not, to what relief the concerned workman is entitled?”

2. The reference was received in this Tribunal on 6-1-2009 but none appeared on behalf of the concerned till 16-1-2009, therefore, a notice by speed post was sent to the sponsoring union to file written statement on behalf of the workman. Even on 5-3-2009 none appeared on behalf of the workman. It seems that neither the concerned workman nor the sponsoring union is interested to contest the case.

3. In such circumstance, I pass a ‘No dispute’ Award in present reference case.

H. M. SINGH, Presiding Officer

नई दिल्ली, 13 मई, 2009

क्र.आ.1675.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. बी.सी.सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक

अधिकरण/श्रम न्यायालय, सं.-I, धनबाद के पंचाट (संदर्भ संख्या 33/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-5-2009 को प्राप्त हुआ था।

[सं. एल-20012/33/2007-आईआर(सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 13th May, 2009

S.O. 1675.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.33/2007) of the Central Government Industrial Tribunal-cum-Labour Court, No.-I, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. B.C.C.L. of India and their workmen, which was received by the Central Government on 13-5-2009.

[No. L-20012/33/2007-IR (C-I)]

SNEH LATA JAWAS, Desk Officer
ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (No. 1), DHANBAD**

In the matter of a reference U/S. 10(1) (d) (2A) of
Industrial Disputes Act, 1947

Reference No. 33 of 2007

Parties:—Employers in relation to the management of
Govindpur Area of M/s. B.C.C.L.

AND

Their workman

Present: Shri H. M. SINGH, Presiding Officer

APPEARANCES

For the Employer : None.

For the Workman : Shri K.K. Sinha, Advocate

State : Jharkhand. Industry : Coal

Dated, 27th April, 2009

AWARD

By Order No. L-20012/33/2007-IR (C-I) dated 14/21-6-2007 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following disputes for adjudication to this Tribunal :—

“Whether the action of the management of Bhowra (S) Colliery of M/s. BCCL in dismissing Shri Indradeo Singh, General Mazdoor from the services of the company w.e.f. 7-2-2005 is justified and legal? If not, to what relief the concerned workman is entitled?”

2. The reference case was received in this Tribunal on 3-7-2007. But on 6-2-2009 Shri K.K. Sinha, Advocate, alongwith the concerned workman appeared and filed a petition praying that the case has already been settled with the management so the concerned workman is not interested to contest the case further.

3. In view of the prayer made on behalf of the concerned workman, I pass a ‘No Dispute’ Award in the present case.

H. M. SINGH, Presiding Officer

नई दिल्ली, 13 मई, 2009

का.आ. 1676.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. डी.वी.सी. ब्रह्मों के प्रबंधन के संबंध निर्योजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं.-I, धनबाद के पंचाट (संदर्भ संख्या 30/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-5-2009 को प्राप्त हुआ था।

[सं. एल-20012/41/1998-आईआर(सी-I)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 13th May, 2009

S.O. 1676.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 30/2000) of the Central Government Industrial Tribunal/Labour Court, No.-I, Dhanbad now as shown in the Annexure in Industrial Dispute between the employers in relation to the management of M/s. D.V.C. Bermo and their workman, which was received by the Central Government on 13-5-2009.

[No. L-20012/41/1998-IR(C-I)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No. 1 DHANBAD

In the matter of a reference U/s. 10(1)(d)(2A) of
Industrial Disputes Act

Reference No. 30 of 2000

Parties:—Employers in relation to the management of
D.V.C. Bermo

And

Their workmen

Present : Shri H.M. Singh, Presiding Officer

APPEARANCES

For the Employers : None.

For the Workman : Shri D.K. Verma, Advocate.

State : Jharkhand. Industry : Coal

Dated the 21st April, 2009

AWARD

By Order No. L-20012/41/98-IR (C-I) dated 10-1-2000 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the action of his management of D.V.C. Bermo Colliery in not correcting the date of birth of Sh. Phulchand Prasad, General Foreman, as 15-1-1945 instead of 1-10-1938 is correct and justified? If not, to what relief the workman concerned is entitled?”

The workman has stated in written statement that he was working at Bermo Colliery of D.V.C. since 1963 and at the time of appointment he produced the school leaving

certificate to record his date of birth as 15-1-45. He was the student of Dhanbad Pran Jiwan Academy and he gave up his study in Class-X as his father expired and there was nobody to support his family. The workman concerned applied for a job in Bermo colliery and he was taken as General Mazdoor there in the year 1963. In the said year 1963 he was taken as a Welder. Later on he was promoted as Asstt. Foreman in the year 1972 and thereafter he was promoted as a General Foreman. He was retired from September, 1998 on the basis that his date of birth is 1-10-1938 where as his actual date of birth is 15-1-1945. The concerned workman on checking found that his date of birth has been wrongly recorded as 1-10-1938 without his knowledge and at the later stage. The concerned protested, but he could not get any relief from the management and thereafter an industrial dispute was raised on behalf of the workman concerned regarding his illegal superannuation/termination on the basis of his date of birth as 1-10-1938. However, the Central Government refused to make the reference and communicated the same *vide* their letter dated 25-1-99 addressed to the Superintendent/Agent, Bermo Mine and Sri Krishna Kumar Singh, Secretary, Damodar Ghati Nigam Worker's Union, who had raised the Industrial Dispute in respect of the workman concerned. The order of the Central Government was challenged before the Hon'ble High Court, Patna, Ranchi Bench, Ranchi, *vide* CWJC No. 845 of 1999(R) and the Hon'ble Court was pleased to quash the order refusing the reference *vide* order dated 25-11-98 and directed the Government to pass fresh order to refer the dispute adjudication before the Tribunal and thereafter the present reference has been made. The action of the management in superannuating the concerned workman from 1-10-98 on the basis of his date of birth as 1-10-1938 is not justified, whereas his actual date of birth is 15-1-1945. The management of Bermo Colliery of D.V.C. has recorded the date of birth of many workmen in 'B' Form, which were found incorrect and later on rectified. But the management refused to rectify the date of birth in case of the workman concerned wrongly recorded in Form 'B' Registrar. The action of the management is in violation of Section 25-F of I.D. Act, 1947 as he was neither paid one month's notice-pay nor retrenchment compensation and the action of the management is also against the principles of natural justice. It has been prayed that he may be reinstated with full back wages and other consequential benefits.

3. The management has filed written statement and stated that Phulchand Prasad, Ex-General Foreman Mechanical had joined the service in Bermo Mines of D.V.C. on 1-10-1962. At the time of his appointment, as per Mines Rule his date of birth has been recorded as 1-10-38 in the Form 'B' Register which is as an only authentic document and the said entries have been signed by Sri Prasad, who was a literate and responsible person, since his appointment on 1-10-62 he did not raise any objection or made any complaint as regards the entries of date of birth, which was done as per his information, knowledge and consent. At the fag end of his service career, just on the verge of his retirement he was ill advised to raise this dispute and to

take a chance to manage a few more years of service. As per D.V.C. circular the management considers, complaint if any, has to be raised at least before five years of the date of retirement. The concerned workman did not make any complaint five years before his date of retirement or earlier, hence no such complaint could be entertained. The concerned workman did not produce any educational certificate like matriculation certificate from the Board or any statutory certificate within 5 years of his joining nor at any time before. He wanted to continue in his service even after the date of his retirement, on the basis of a school leaving certificate issued by the Head Master/Principal of a school, namely, Dhanbad Pranjivan Academy in the year 1997 where he alleged to have read from Class-IV to Class-IX during 1954 to 1959 and it is alleged that he had left the school in 1959. If he had left the school in 1957, the School Leaving Certificate ought to have been obtained in 1959, but he did not obtain any such certificate. On the verge of his retirement on 25-9-97 he obtained a school leaving certificate i.e. after 38 years of leaving the school, which having no justified reason, is doubtful and such certificate is not binding upon the management and it can not over ride the entries made in the Form 'B' Register under the Mines Act and Rules made there under. As per the claim of the concerned workman his age was 17 years at the time of his appointment on 1-10-1962. To overcome this difficulty, He has falsely claimed that he had joined the services in 1963. The management in usual and normal course as per the service rule and procedure has retired the concerned workman from his service on completion of 60 years of his age as per date of birth 1-10-1938 as recorded in Form 'B' Register and other service records. It has been prayed that the reference may be answered in favour of the management holding that the management is justified in treating the date of birth of the concerned workman as 1-10-38 and further the concerned workman is not entitled to any relief.

4. Both the parties have filed their respective rejoinders admitting and denying contents of some of the paragraphs of such others' written statement.

5. Management has examined MW-1 B.K. Mishra who has proved Ext. M-1 and M-2, and stated in examination in-chief- "presently I am working as officiating Survey Officer in DVC Bermo Mines. At the time of appointment of a workman his detailed particulars, such as, his name, address, date of birth etc. are being entered in a register which is being called Form 'B'. It is a register which is being maintained under mines Rules. In respect of date of birth of the workman this register is always considered to be an authentic one. In this Form 'B' register at Sl. no. 77 the name and other necessary particulars of the concerned workman are mentioned. Relevant portion of the register is marked Ext. M-1. As per the entries made in this register the date of birth the concerned workman is 1-10-38. This is one circular dated 19-10-93 of the management as per which with regard to the entries made in the Form 'B' Register in respect of date of birth any objection can be raised and entertained within five years from the date of joining. This is the copy of the said circular. Marked Ext. M-2. Prior to raising the industrial dispute the concerned workman had

never raised any objection before the management in regard to his date of birth. In the Form 'B' register as against the relevant entries concerning a particular workman his signature is also being obtained and the concerned workman likewise has also put his signature in the said register which is available there."

6. The concerned workman has produced himself as WW-1 Fulchand Prasad who has proved Ext. W-1. The concerned workman also produced WW-2-A.W. mardy. The concerned workman also produced WW-3- P.K. Roychoudhary, who has proved Ext. W-2.

7. Main argument advanced on behalf of the concerned workman is that he has filed school leaving certificate and his date of birth was 15-1-1945 but management has wrongly entered his date of birth as 1-10-1938. In cross-examination WW-1 Phulchand Prasad in page 3 stated—"As per the date of birth mentioned in the school leaving certificate, at the time of my appointment my age would have been 17 years." This statement of the concerned workman shows that the time of appointment he was 17 years of old which is not possible in Government service because minimum age limit is 18 years. It shows that the school leaving certificate is not reliable by his own statement. Moreover, he has admitted in cross-examination at page 2 that the Form 'B' which was prepared sometime in the year 1963 was prepared in his presence. It shows that Form 'B' register prepared in the year 1963 and he signed it and after so many years he raise the question about genuineness of recording of date of birth which only shows that he got fabricated the school leaving certificate because this certificate has been issued on 7-11-2001 and he has left the school on 31-12-1959. It shows this has been got only to prove his case. Ext. W-2 is in complete document and it is blank on over-leaf. Moreover, the original school admission register has not been produced before this Court so that it may be presumed that 15-1-1945 is his date of birth. only photocopy has been produced.

8. MW-1 B.K. Mishra has stated clearly in his cross-examination that the Form 'B' Register which he has proved before the Court is being maintained in the colliery.

9. The learned counsel of the workman argued that MW-2 stated as page 2 that Form 'B' Register is being maintained by Survey Officer. As I joined in the concerned collier in the year 1985 I cannot say whether it is the same register which was maintained in the year 1962. It has got no matter whether Form 'B' Register was prepared in the presence of the witness. Form 'B' Register is statutory register in which every detail of the workman is mentioned including date of birth.

10. WW1 has stated in cross-examination that school leaving certificate is printed form and on prescribed format could not be submitted. It only shows that he had not produced school leaving certificate (Ext. W. 1) at the time of joining of service and it was obtained in the year 2001. WW-1 stated in cross-examination that he had left school in the year 1960, but in the school leaving certificate (Ext. W-1) it shows that he left school on 31-12-1959.

11. The concerned workman in cross-examination at page -2 "I had come to know about the new Form 'B' Register in the year 1993 when I was being called upon to put my signature on that and after having come to know about the wrong entries made in the said register, I submitted my objection in writing. I do not have any paper with me." If he had made any objection in writing, he must have got paper but he has not filed any document to show that he made representation to the management regarding correction of his date of birth. WW-2 stated in cross-examination at page 2." It is true that in the application submitted for seeking appointment all the necessary details are given. It is correct that only upon the appointment necessary particulars of a workman are entered in Form 'B' Register and it is true that this Form 'B' Register contains the photograph and signature of the concerned workman. It is true that a workman is superannuated on the basis of date of birth mentioned in Form 'B' Register at the time of his appointment. It only shows that he was superannuated on the basis of date of birth mentioned in Form 'B' Register which has been signed by him and photograph is also affixed there. He is literate person, so, there is no question that his date of birth 1-10-1938 is wrongly recorded. Moreover, as per Circular (Ext. M-2) which shows that after joining service within five years a workman has to raise objection regarding wrong recording of date of birth, but this has not been done by the concerned workman.

12. In view of the discussions made above, I come to the conclusion that the management has retired the concerned workman as per the service rule and procedure on completion of 60 years of his age as per date of birth 1-10-1938 recorded in Form 'B' Register and hence he is not entitled to any relief.

13. Accordingly, I render the following award. The action of the management of D.V.C. Bermo Colliery in not correcting the date of birth of Sh. Phulchand Prasad, General Foreman as 15-1-1945 instead of 1-10-1938 is correct and justified and the concerned workman is not entitled to any relief.

H. M. SINGH, Presiding Officer

नई दिल्ली, 13 मई, 2009

का.आ. 1677-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार में बी. सी. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं. 1, धनबाद के पंचाट (संदर्भ संख्या 19/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-5-2009 को प्राप्त हुआ था।

[सं. एल-20012/304/95-आई आर (सी-1)]

स्नेह लता जवास डेस्क अधिकारी

New Delhi, the 13th May, 2009

S.O. 1677.—In Pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 19/1997) of the Central Government Industrial Tribunal/ Labour

Court, No. 1, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. BCCL and their workman, which was received by the Central Government on 13-5-2009.

[No. L-20012/304/95-IR (C-1)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No. 1 AT DHANBAD

Present

Shri H.M. Singh, Presiding Officer

In the matter of an Industrial Disputes under Section 10 (1) (d) of the I.D. Act, 1947.

REFERENCE NO. 19 OF 1997

Parties :

Employers in relation to the management of Bhowra Area of M/s. BCCL and their workman.

APPEARANCES

On behalf of the workman : Mr. U. P. Sinha, Advocate

On behalf of the employers : Mr. U. N. Lal, Advocate

State : Jharkhand Industry : Coal.

Dated, Dhanbad, the April, 2009

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/304/95-IR (C-1) dated, the 3rd January, 1997.

SCHEDULE

"Whether the action of the management in dismissing Sri Banarasi Ram, Heavy Tyndal Mazdoor from services of the Company is justified? If not to what relief the workman is entitled?"

2. In the Written Statement submitted on behalf of the concerned workman it has been stated that the concerned workman was a permanent employee of Bararee Colliery of M/s. BCCL working as Heavy Tyndal Mazdoor being E.B.No.093. In course of employment the management issued a chargesheet to him vide chargesheet dated 16-5-91 levelling certain charges contained therein. The concerned workman replied to the chargesheet denying the allegations levelled against him. The management being not satisfied with the reply submitted by the concerned workman held a domestic enquiry and thereafter dismissed the concerned workman from service considering the enquiry report and other relevant papers. It has been alleged on behalf of the concerned workman that the enquiry was not fairly and properly held and that the charges contained in the chargesheet are vague and misleading. It has further been stated that before conducting the domestic enquiry the papers of preliminary enquiry conducted by the management were not handed over to the concerned workman. As a result, the concerned workman was seriously prejudiced and the management violating the

principle of natural justice conducted the domestic enquiry which is illegal and unjustified. It has also been submitted on behalf of the concerned workman that the Enquiry Officer had not allowed the concerned workman to defend his case properly and the Dy. Chief Mining Engineer who has dismissed the concerned workman is not the competent authority to dismiss a workman. Therefore, the dismissal of the concerned workman is illegal, inoperative and unjustified. Accordingly it has been prayed on behalf of the concerned workman to pass an Award holding the dismissal of the concerned workman as unjustified and illegal directing the management to reinstate him to his original post with full back wages from the date of his dismissal to the date of reinstatement.

3. The case of the management as disclosed in their Written Statement is that the reference as made out is not legally maintainable either in facts or in law. The action of the management of Bararee Colliery of M/s. BCCL in dismissing Sri Banarasi Ram, Heavy Tyndal Mazdoor from services of the company is entirely justified, thoroughly legal and substantially proper, and the concerned workman is not entitled to get any relief. Further management have submitted that one Banarasi Ram son of Late Lal Kishun Ram of village Madari, P.O. Sarmera, P.S. Shekhpura, Dist. Monghyr was an employee working as Wagon Loader of Bararee Colliery prior to 1-6-1972. The said Banarasi Ram left BCCL without putting in resignation or giving information to the Management of Bararee Colliery and joined at Tirath Colliery of the Eastern Coalfields Ltd. from 1-6-1972 as Driller from where he was transferred to North Searsole Colliery of the said Colliery. In the meantime after one month of the Original Banarasi Ram's joining in ECL, one fake Banarasi Ram fraudulently managed to obtain employment in the Bararee Colliery on 1-7-1972. On enquiry from the Vigilance Department of the Company it was gathered that the real name parentage and home address of the so-called Banarasi Ram of Barari Colliery came out to be:

Ashok Ram @ Gandhari Ram,
S/o. Late Gariban Ram, of
Vill. Manaochaik, P.S. Armera,
Dist. Nalanda

Whereas the genuine Banarasi Ram's father's name was Lal Kishan Ram of Village Madari, P.O. Sarmera, P.S. Shekhpura, Dist. Munghyr. Subsequently, a chargesheet was issued to the concerned workman by the competent authority of the management under clauses 26-1-11, 26-1-12 and 26-1-20 of the Certified Standing Order of the company for fraudulently obtaining employment vide chargesheet No. BBC/91/CS/85 dated 16-5-91 to which the concerned workman replied on 19-5-91 denying the charges levelled against him. The reply of the concerned workman being not satisfied set up an enquiry against the charges levelled on the concerned workman vide letter No. BBC/91/890 dated 14/18-9-91. The Enquiry Officer observing the principle of natural justice, conducted the enquiry proceeding with all fairness, came to the conclusion that the charges levelled against the concerned workman was fully proved beyond doubt. On the basis of the fair and

proper enquiry, report and findings of the Enquiry Officer, the Disciplinary Authority i.e. the agent/Dy. C.M.E after applying his mind become satisfied with the findings of the E.O. and held the concerned workman guilty of the serious misconduct as aforesaid and finally after obtaining approval from the competent authority dismissed him from the service of the company with immediate effect vide Ref. No. BC/92/621 dated 8th July, 1992. It has been prayed on behalf of the management to pass an Award holding the dismissal of the concerned workman as justified and that the concerned workman is not entitled to get any relief.

4. Both the sides have filed their respective rejoinder admitting and denying the contents of some of the paras of each other's written statement.

5. In order to substantiate their case management has produced and examined MW-1 who has proved documents marked as Ext. M-1 to M-9. The concerned workman has not produced any witness, nor he himself adduced any evidence.

6. As to the fairness and propriety of the domestic enquiry it was held by this Tribunal vide its Order No.36 dated 6-6-2006 that the domestic enquiry conducted against the concerned workman was fair, proper and in accordance with the principle of natural justice. Thereafter the case was heard on merit.

7. In course of hearing Ld. Representative of the workman argued that Mukhiya who has issued the certificate has not been examined. So report and certificate has no relevancy. It has also been argued that the concerned workman has stated in the domestic enquiry held by the management that he does not belong to that Gram Panchayet but Representative of the management argued that Shri Baliram Prasad, Vigilance Officer of the management has been examined before the Tribunal and that he got enquiry proceeding and enquiry report of the domestic enquiry exhibited. Ld. Representative of the workman has argued that he has got no personal knowledge of the allegation against the concerned workman.

8. It has been further argued on behalf of the workman that he has produced report of enquiry from Mukhiya, Voter's list in the domestic enquiry. There is no need on the part of Enquiry Officer to go and collect report and certificate of Mukhiya himself. There is no need to take those certificates as evidence in the domestic enquiry. Ld. Counsel of the workman also argued that regarding voter's list it should not be read as a document because it is not complete document because in some cases name of particular persons living are not recorded due to inadvertance or for so many reasons.

9. Ld. Counsel for the management argued that the concerned workman has not produced any identity card in support of his case. It only shows that he has impersonated to Banarasi Ram of Searsole Colliery who had worked earlier at Bararee Colliery. Real Banarasi Ram gave up his job at Bararee Colliery and present concerned workman obtained job in Bararee Colliery by declaring himself as Banarasi Ram with effect from 1-7-72. In this respect

workman's representative argued that management has not established that real Banarasi Ram had ever worked at Bararee Colliery and there is no oral and documentary evidence. It shows that though management had not produced any document the concerned workman claimed himself to be the employee of Bararee Colliery which he has to prove giving his appointment letter and I.D. card etc. But he has not done so. It only shows what when real Banarasi Ram was transferred to Searsole Colliery and after his transfer and giving up the job the concerned workman obtained employment in the Bararee Colliery on 1-7-1972. Ld. Representative of the workman also argued that real Banarasi Ram has not been examined by the management before the Enquiry Officer so that it could have shown that he has ever worked in Bararee Colliery before 1-7-72 rather has been working at Searsole Colliery from 1-6-72 as per record produced by the management witness. He argued that similar name and parentage does not make it a case of impersonation by the concerned workman.

10. Ld. Counsel for the workman also argued that when enquiry was held fair and proper even the Tribunal can order for reinstatement of the concerned workman if finding in the domestic enquiry is perverse. In this respect they have referred a decision reported in 1984-(IV)-SCC 635. He has also referred to another decision reported in 2005 (105) FLR 790. Ld. Counsel also referred to a decision reported in 1973-Lab. I.C. II-page 851 regarding power of the Industrial Tribunal and it has been held that even where the dismissal of a workman by an employer on ground of misconduct is preceded by a proper and valid domestic enquiry, Section 11A of the Act now empowers the Labour Court of Tribunal to reappraise the evidence and examine the correctness of the findings thereon. Another argument advanced on behalf of the concerned workman is that the charge-sheet has been issued with contemplation of minor punishment at the explanation was called for within 48 hours as per Standing Order No.27.1 whereas for major penalty explanation has to be called for giving 7 days time as per Standing Order No. 27.2. He also argued that after conclusion of the enquiry the enquiry report was not supplied to the workman causing serious prejudice to him that he could have submitted before the Punishing Authority that there was no oral or documentary evidence in support of the chargesheet and finding of the E.O. is perverse and that the E.O. has not discussed and considered the evidence of the workman and his cross-examination of the management witness. It has caused serious prejudice to the concerned workman.

10. Documents filed by the management marked as Ext. M-1 to M-9 shows that the concerned workman impersonated to Banarasi Ram and obtained employment fraudulently and it has been thoroughly investigated by the management by going to the village of the concerned workman with his photograph and by taking evidence of Mukhiya and also concerned P.S. employee and also voter's list of that village. It only shows that the concerned workman has impersonated Banarasi Ram to get his employment. It has also been proved from voter's list and other document that he never resided at the address of real Banarasi Ram at Madari. He was actually Ashok Ram as

per Ext. M-8. As per Ext.M.8/1 real Banarasi Ram is mentioned in the voter's list of village Madari.

In view of the facts, evidence and circumstances discussed above, I find no merit in the case of the concerned workman. Hence, the following Award is rendered:-

"The action of the management in dismissing Sri Banarasi Ram, heavy Tyndal Mazdoor from services of the Company is justified. Consequently, the concerned workman is not entitled to get any relief."

H. M. SINGH, Presiding Officer

नई दिल्ली, 18 मई, 2009

क्र.आ. 1678.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारत ओवरसीज बैंक लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण लखनऊ के पंचाट (संदर्भ संख्या 105/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-5-2009 को प्राप्त हुआ था।

[सं. एल-12012/202/1998-आई आर (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 18th May, 2009

S.O. 1678.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.105/2000) of the Central Government Industrial Tribunal-Cum- Labour Court, Lucknow as shown in the Annexure in the Industrial Dispute between the management of Bharat Overseas Bank Ltd., and their workmen, received by the Central Government on 18-5-2009.

[No.L-12012/202/1998-IR(B-I),

AJAY KUMAR, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT LUCKNOW

PRESENT

N. K. PUROHIT, Presiding Officer

I.D. No. 105/2000

Ref. No. L-12812/202/98-IR(B-I) dated 15-3-1999

BETWEEN

Sh. R.K. Malviya,
Sector-G, LIG-75, Jankipuram,
Sitapur Road, Lucknow (U.P.) 226001

AND

The Chariman,
Bharat Overseas Bank Ltd,
Habib Tower, Chennai-600001

AWARD**Dated: 5-5-2009**

1. By order No. L -12812/202/98-IR(B-I) dated: 15-3-1999, the Central Government in the Ministry of Labour, New Delhi in exercise of powers conferred by clause (d) of sub section (1) and sub section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) referred this industrial dispute between Shri R.K. Malviya, Sector G, LIG-75, Jankipuram Sitapur Road, Lucknow and the Chairman, Bharat Overseas Bank Ltd., Habib Tower, Chennai for adjudication.

2. The reference under adjudication is:

“Whether the action of the management of Bharat Overseas Bank Ltd. was justified in discharging the services of Sh. R.K. Malviya Clerk-cum-Cashier w.e.f 19-6-1995. If not to what relief is workman is entitled to.”

3. This factual position is almost undisputed that at the time of alleged misconduct by the workman, he was posted at branch office of the Bharat Overseas Bank Ltd. as Clerk- cum- Cashier. He was placed under suspension by the Chairman of the bank vide order dt. 11-2-94 for alleged misconduct and thereafter a charge sheet dt. 5-8-94 was issued against him and departmental enquiry was initiated against him. The enquiry officer after ex-party enquiry found all charges in the said charge sheet as proved and the disciplinary authority after being issuing a show cause notice dt. 13-4-95 and after providing opportunity of personal hearing, finally imposed punishment of discharge from the services of the bank vide impugned order dt. 19-6-95. An appeal was preferred by the workman against the above order but the same was rejected which led the petitioner to raise this industrial dispute before the concerned authority. Failure of conciliation proceeding necessitated the appropriate Government to refer the matter for adjudication before this Tribunal. This is also not disputed that said Bharat Overseas Bank Ltd. has been amalgamated in the Indian Overseas Bank on 12-3-2007.

4. As per version of the workman in the averments made in the statement of claim, on 5-2-94 about 9.15 A.M. the workman reached at branch office Indra Nagar, Lucknow to seek help from Sh. A.K. Chaturvedi, Clerk (Union leader) in the matter of registration of his house and by that time he had not reached the said office. Sh. Mohd Bashir sub staff of the said branch office told him that he may help him in the said matter. Thereafter, Sh. Mohd. Bashir went inside the Cabin of the Manager of the branch office and when he came back to told the workman that he may not help him in the matter as he would be going to Hazratganj branch, meantime, Sh. Chaturvedi entered the branch and assured the workman to help in the said matter thereafter workman left the premises about 9.30 A.M., but as soon as, he was out of the main gate of the said branch, he heard a noise of breaking up window-panes of Manager's cabin and as a result of the said unexpected event, he could not move ahead and

thereafter as soon, he started moving forward, he saw Sh. A.C. Bithal coming out of the branch, crying under the wrong perception as if the said act of breaking up of the window-panes being done by the workman when he protested and objected and requested him not to shout at him and upon, Sh. Bithal started using unparliamentary language against him. At about 9.40 A.M., the workman left the said place of incident ignoring Sh. Bithal, who was still furious against him with some abusive remarks.

5. The workman has questioned the fairness of the domestic enquiry on several grounds including holding ex-party enquiry against him without giving opportunity for defence & findings are not based on the evidence, which have been mentioned in para 5 to 61 of the statement of claim and prayed that alleged charge sheet dt. 5-8-94 be declared as bad in law and impugned punishment order dt. 19-6-95 be set aside and direction be given to the opposite party to pay him arrears of full wages from the date of his suspension order.

As per management version in their written statement, the workman came to Indra Nagar branch on 5-2-94 at around 9.30 A.M. Sh. Mohd. Bashir Sub-staff sought Manager's permission to go out of the branch to do some personal work of the workman. The then Manager Sh. A.C. Bithal refused to grant permission when the said Sh. Mohd. Bashir reported to the workman about the Manager refusal to grant permission, the workman became wild and started shouting in the bank's hall in the presence of customers and staff members. On seeing this, the Manager came out of his cabin and requested him not to create any problem in the branch and instructed him to leave the branch premises. The workman went out of the branch and threw a stone at the Manager's cabin and damaged the window-panes of the cabin. It is further alleged that when Manager Sh. Bithal came out of the branch, the workman shouted and abused him in unparliamentary and obscene language and he also threatened him with dire consequences in case of reporting matter to the head office and thereafter he left the premises. It is further stated that at about 4.00 P.M. on the same day the workman came to the branch and handed over a letter to the Manager confirming the above incident expressing regret for his misconduct for the said misbehaviour. However, around 6.00 P.M. he came back to the Manager's cabin and took away his letter forcibly which was lying on the Manager's table.

7. In written statement the allegations of the workman regarding unfair enquiry and violation of principle of natural justice in conducting enquiry have been denied and it is alleged that averments made in the statement of claim are false and frivolous therefore, claim be rejected.

8. On the basis of the averments made in statement of claim and written statement following preliminary issues were framed on 10-1-2001:

1. Whether the domestic enquiry is fair and proper?
2. Whether the domestic enquiry suffers with vice of perversity?

9. The then learned Presiding Officer of the Tribunal vide its order dt. 4-4-2001 found the enquiry unfair and defective and decide the aforesaid issues in favour of the workman and opportunity was given to the opposite party to prove the alleged charges against the workman before the Tribunal.

10. The management has examined Sh. S.K. Gaur the then Accountant and Sh. T.K. Shridhar the then Trainee Officer in the branch to prove the charges levelled against the workman whereas in rebuttal, the workman has examined himself as witness.

11. The management has also filed following documents in support of its case;

1. Copy of record reports (C-53)
2. Copy of cash memo of snaps dt. 5-2-94 (C-53/2)
3. Photographs (Two) C-53/3 & C-53/4)

12. Heard the arguments advanced by both the sides and perused the written arguments submitted by the workman and scanned the oral and documentray evidence adduced by both the sides.

13. The workman has contended that the management has not examined the main witness Sh. A.C. Bithal on whose report departmental enquiry was initiated and who is said to be victim of alleged misconduct. The management has not proved the copies of record register dated 5-2-94 of branch office of Indra Nagar C-53. Letter dt. 7-2-94 of Sh. A.C. Bithal, addressed to the Regional Manager & alleged confession letter dt. 5-2-94 said to have been given by the workman and they could not be relied on against the workman. In support of his contention he has place reliance on M/s. Bareilly Electricity Supply Co. Ltd. Vs. AIR 1972 SC 330, 339 and CM Deshmukh Vs. Board of Trustee, Port of Bombay, 1995 Lab. I.C. Page 1496 (Bom. H.C.).

14. The workman has also contended that out of listed 9 witnesses, the management has produced only 2 witnesses, and both of them have admitted in cross-examination that they did not go out-side the branch therefore, they have not seen the alleged incident of misconduct said to be occurred outside the branch. Whatever they have deposed is totally based on information given by Sh. A.C. Bithal, therefore, in absence of required testimony of Sh. A.C. Bithal, hearsay evidence of both the witnesses can not be relied. In this matter Sh. A.C. Bithal, and Sh. Mohd. Bashir were the material witness as per alleged incident to whom the management unfairly and without assigning any reason withhold. Had the management been fair enough, in producing material witnesses, it could have been well established on their cross-examination that they do not support the charges or charge could be falsified by their evidence obtain on their cross-examination. Denying the said opportunity to the workman is violation of principle of natural justice & adverse inference should be drawn for withholding material

witnesses, against the management. In support of his contention he has relied on Broja Ballav Ghose Vs. Union of India, 1986 Lab. I.C. 1166 & Ganesh Rajan Vs. M/s. Bennett Coleman & Co. Ltd., 1989 Lab. I.C. 534.

15. Per contra, the learned representative on behalf of the opposite party has urged that charges levelled against the workman are well proved by evidence of witnesses Sh. S.K. Gaur and Sh T.K. Shridhar which also find corroboration from documentary evidence, copy of register C-53 and photographs showing the broken window panes. Moreover, the workman was posted in other branch and he has admitted that at the time of incident he went to Indra Nagar, branch for his own purpose. He has further argued that workman has admitted in his evidence that he had enmity with Sh. A.C. Bithal. The version of the workman that Sh. A.C. Bithal, started shouting, is not believable. If incident did not take place and the workman did nothing then there was no reason to shout and abuse the workman. He has also argued that from the evidence of the workman also it appears that some incident took place on the date and time alleged in the charges. He has further argued that the then manager Sh. A.C. Bithal, is retired therefore, has not been examined. He has furthermore argued that strict rule of evidence are not applicable in the matter of enquiries.

16. In support of his argument reliance has been placed on following case laws;

1. (2006) 2 SCC 255 TNCs Corp'n Ltd. & Others vs. K. Meerabai.
2. (2006) 2 SCC 269 LK Verma Vs. HMT Ltd. and another.
3. (2006) 2 SCC 584 South Bengal State Transport Corp'n. Vs. Sapan Kumar Mitra & Others.
4. (1977) 2 SCC 491 State of Haryana & Another Vs. Rattan Singh.
5. (2005) SCC (L&S) 407 Divisional Controller, KSRTC (NWKRTC) Vs. A.T. Mane.
6. (2005) SCC (L&S) 412 Muriadih Colliery of Bharat Cooking Coal Ltd. Vs. Bihar Colliery Kamgar Union.

17. Before embarking upon the merit of the case on the basis of evidence of both the sides, it would be proper to go through the case laws cited relating to appreciation of the evidence & applicability of the rules of Evidence Act in the matter of enquiries. In AIR 1972 SC 330 Hon'ble Apex Court has observed that though Evidence Act is not applicable to the industrial tribunals that does not mean that where issues are seriously contested and have to be established and proved, the requirements relating to proof can be dispensed with. In 1995 LAB. I. C. 1496 Hon'ble Bombay H.C. has observed that hearsay or indirect evidence can not take the place of conclusive evidence in the absence of any other substantive evidence. In regard to the charge against the petitioner, the proof of truthfulness of the hearsay evidence cannot be dispensed with in a

domestic enquiry. The basic rule governing domestic enquiry requires that no order entailing penal consequence can be made on the basis of ex-parte statement of witnesses or hearsay evidence. In 2006(2) SCC 584 cited by the learned representative of the management Hon'ble Apex Court has observed that strict proof of legal evidence and findings thereon, not necessary. In 1977 (2) SCC 491 Hon'ble Apex Court has held that in a domestic enquiry all the strict and sophisticated rules of the Evidence Act may not apply. All materials which are logically probative for a prudent man are permissible, though departmental authorities and Administrative Tribunals must be careful in evaluating such material and should not be glibly swallow what is strictly speaking not relevant under the Evidence Act. The essence of judicial approach is objectivity, exclusion of extraneous materials or considerations, and observance of rules of natural justice.

18. In view of above legal position it is not disputed that in domestic enquiry strict rules of Evidence Act are not applicable and strict proof of legal evidence is not required but at the same time it does not mean where issues are seriously contested and have to be established and proved, the requirements relating to proof can be dispensed with. The evidence on record is to be evaluated in the light of above legal position.

19. It is pertinent to mention that since the preliminary issues framed in this matter have been decided in favour of the workman and enquiry conducted against the workman has been held as unfair and not proper, there is no need to go into the merit of the various grounds taken in the statement of claim in this regard. It is also pertinent to mention that evidence recorded during the domestic enquiry and evidence adduced by both the parties in regard to preliminary issues is not to be considered to prove the charges of alleged misconduct against the workman in the light of following principle laid down by Hon'ble Apex Court in Neeta Kaplish vs. Presiding Officer, Labour Court and another 1999 SCC (L&S) 302.

“ In all cases where enquiry has not been held or the enquiry has been found to be defective labour court/tribunal can call upon the management or the employer to justify action taken against the workman and to show by fresh evidence that the termination or dismissal order was proper. If management does not lead any evidence by availing of this opportunity, it cannot raise any grouse any subsequent stage that it should have been given that opportunity, as the Tribunal, in those circumstances, would be justified in passing an award in favour of the workman. If however, opportunity is availed of and evidence in adduced by the management, validity of action taken by it has to be scrutinized and adjudicated on the basis of such fresh evidence.”

20. In the light of the above legal proposition the management was to adduce fresh evidence to prove the alleged misconduct against the workman. Now it is to be considered as to whether on the basis of material on record

under Section 11A of the I.D. Act as envisaged in the said case law, the management has succeeded to prove the charges leveled against the workman.

21. Indisputably, the workman was chargesheeted on 5-8-94 on the following charges:

Charge No.1 : You have damaged the windowpanes of the Manager's cabin by throwing a stone, which is a gross misconduct as per para No.19.5 (C) of the Bipartite Settlement dt. 19-10-1966.

Charge No.2 : Your action of shouting the abusing the Manager in unparliamentary and obscene language and threatening him with dire consequences is an act of riotous, disorderly and indecent behaviour, which is a gross misconduct as per para No. 19.5 (C) of the Bipartite Settlement dt. 19-10-1966.

Charge No.3 : By your action of shouting, using abusive/obscene language against the Manager Sh. A.C. Bithal and behaving in a riotous, disorderly and indecent behaviour, in front of customer, revenue auditors and staff members, you have tarnished the image and reputation of the bank and thereby you have acted in a manner prejudicial to the interest of the Bank which is a gross misconduct as per para No. 19.5 (j) of the Bipartite Settlement dt. 19-10-1966.

22. Now, it is to be seen whether from the oral & documentary evidence adduced by the management, the charges leveled against the workman stand proved.

23. The management witness Sh. S.K. Gaur and Sh. T.K. Shridhar have stated in their statement on oath that on 5-2-94 they were present at the time of alleged incident in the Indra Nagar, branch of the bank. Both the witnesses have stated in their affidavit that at about 9.15 A.M. workman Sh. R.K. Malviya came to Indra Nagar, branch and started talking with Sh. Mohd. Bashir who had entered in the cabin of the Branch Manager for permission to leave branch on account of some personal work of the workman. The then Manager Sh. Bithal refused permission for leaving the branch to Sh. Mohd. Bashir. The workman on coming to know about refusal started shouting and abusing the Manager Sh. Bithal where upon he came out of his cabin and ask to workman to refrain from creating nuisance in the bank hall. Thereafter, the workman went out of the branch and threw a big stone on the window panes of the cabin of the Manager and on being asked by the Manager, the workman started abusing him. They have also stated that thereafter Branch Manager was also threatened that if matter is reported to the Head Office, the workman will take out his eyes. Subsequent to this incident Branch Manager Shri Bithal recorded the incident in the record register which has been signed by both of them and others such as Sh. A.K. Srivastava, Sh. P.K. Sharma, Sh. B.P. Misra and Sh. Ajay Yadav.

24. In rebuttal, the workman has stated that his posting was at Hazratganj main branch. He has admitted

that on 5-2-94 he went to Indra Nagar branch at 9.15 A.M. to meet. Sh. A.K. Chatuvedi, Union Leader regarding registry of his house but he was not there. In his examination-in-chief the workman has reiterated his averments made in the statement of claim regarding alleged incident. He has denied all the alleged charges against him. He has also denied the allegations that he gave any letter to the manager, which was later on forcibly snatched by him. In cross-examination, he has stated that since his posting at Gorakhpur, Sh. A.C. Bithal has enmity with him but admitted that said fact is not mentioned in his reply to the charge sheet. He has also denied this fact that Sh. Mohd. Bashir sought permission from the Manager regarding his work. He has also stated that as per his knowledge, Sh. Bithal has left the services of Bharat Overseas Bank Ltd. He has denied his signature on the photo copy of alleged letter dated 5-2-94 written to the Manager of the Branch for regret (document no.6/2).

25. Charge No. 1

In charge no.1 it was to be proved by the management that the workman had damaged the window panes of the Manager's cabin by throwing a stone. To prove the said charge, the management has examined witnesses Sh. S.K. Gaur & Sh T.K. Shridhar and in support of their oral evidence produced a photo copy of the Bill of snaps (C-53/2) & two photographs (C-53/3 & C-53/4). As per management version when the Manager Sh. Bithal came out of his cabin and requested the workman not to create any problem in the branch & instructed him to leave the banks premises, the workman went out of the branch & threw a stone at Manager's cabin & damaged the window panes of the cabin. Thus it is admitted case of the management that incident of alleged stone throwing took place outside the branch. The witnesses Sh. S.K. Gaur & Sh T.K. Shridhar have been produced as eye witnesses of the said incident but both of them have stated in their cross examination that only manager Sh. Bithal went outside the branch. Sh. S.K. Gaur has stated that he came to know about the said incident from Sh. Bithal, Manager. similarly Sh. T.K. Shridhar has also stated that he himself did not go outside the branch at the time of incident. It is evident from their above statements in cross examination that their evidence is only hearsay & they did not see the workman throwing stone on Manager's cabin.

26. As regard photocopy of bill of the snaps & two photographs is concerned, they have not been proved by examining the photographer. Even, if window panes of the cabin of the Manager were found broken up as shown in the said photograph, in absence of any direct evidence, no inference can be drawn that window panes were broken by the workman.

27. The workman has categorically denied the alleged charge no.1. In view of his defence, it was imperative on the part of the management to have examine the Manager Sh. Bithal. He would have been the best person to depose as to who actually damaged the window panes of his cabin. It has not been explained why Sh. Bithal evidence was

with held. There is no reason why an adverse inference should not be drawn against the management that had the management examined Sh. Bithal, Manager, before the Tribunal his evidence would have perhaps not established that window panes was actually damaged by the workman.

28. The learned representative on behalf of the management has contended that from circumstantial evidence and admitted facts by the workman, it is evident that alleged incident has occurred. It is admitted case of the workman that his posting was at Hazratganj branch, Lucknow and on the date and time of alleged incident, he was present in the Indra Nagar, branch and he went there for his personal work. Photographs produced by the management side show that window panes of the cabin of the Branch Manager were found broken. Above circumstantial evidence corroborates the management's version for alleged misconduct. Moreover, the workman himself has regretted in writing for the alleged misconduct. In this regard he has place reliance on (2006)2 SCC 269 & (2005)2 (L&S) SCC 407.

29. I have given my thoughtful consideration on the above contention & cited case laws. In (2006)2 SCC 269 besides admission of abusing an officer in filthy language for the delinquent employee, witnesses were examined for proving charges and on facts of the case Hon'ble Apex court has observed that things admitted not to be proved. But in instant case, the workman has not admitted the alleged misconduct. The alleged regret letter said to be given by the workman is not on the record and as per version of the management after submitting the alleged regret letter subsequently the same was forcibly taken away by the workman from Branch Manager Sh. Bithal. But as stated earlier Sh. Bithal has not examined by the management. The other witnesses have not stated anything about such letter of regret. The workman has denied his signature during the cross examination on the document no.6/2 said to be the copy of the alleged letter of regret. This legal position is not disputed that fact admitted are not required to be proved but in present case the management has fail to establish that the workman ever admitted alleged misconduct. In (2005)2 SCC (L&S) 407 the Bus Conductor to be in possession of sum over and above amount equivalent to tickets issued by him and in excess of sum that bus conductor were permitted to carry besides this there was other material to establish misconduct therefore, in such circumstances Hon'ble apex court has observed that doctrine of Res ipsa loquitur (that the facts speak for themselves) is applicable on the facts of the case but in instant case facts are different. Merely, on the basis of presence of the workman in the branch on the date and time of alleged incident and photographs showing broken window panes, it can not be said that facts speak themselves that window panes were broken by the workman. Therefore, contentions of the learned representative on behalf of the management are devoid of any force and not tenable.

30. Hence, in view of above discussions, it is difficult to conclude that the management proved the charge of misconduct alleged in charge No.1.

Charge No. 2

31. In charge no. 2 the charge against the workman is that he shouted and abused to the branch manager Sh. Bithal in unparliamentary & obscene language & threaten him of dire consequences. In this regard the management has examined Sh. Gaur & Sh. Shridhar witnesses and produced photo copy of the record register (C-53).

32. Sh. Gaur & Sh. Shridhar have been produced as eye witnesses of the incident and they have also signed the record of register (C-53) wherein the alleged incident of misconduct was subsequently said to be recorded by the Branch Manager Sh. Bithal on the same day i.e. 5-2-94. Both the above witnesses have deposed in their affidavit that the filthy abuses mentioned in their affidavit were given by the workman but during cross examination when confronted with the copy of the record of register (C-53) they have admitted that said filthy abuses have not been mentioned in the above register. Sh S.K. Gaur has stated that mentioning of said abuses might have been omitted in haste.

33. It is admitted case of the management in charge sheet itself that said incident of alleged filthy abuses & threatening of dire consequences occurred outside the branch whereas contrary to above version of the management, Sh. S.K. Gaur witness has stated in his cross examination that alleged threat for dire consequences was given by the workman in the hall situated inside the branch. He has also stated that he did not go outside the branch at the time of alleged misconduct therefore, his testimony is not credible, Second witness Sh. T.K. Shridhar the then trainee officer in the branch, has also admitted in his cross examination that he has not witness the incident which took place outside the branch. Thus in the evidence of management witnesses & facts mentioned in the charge sheet there is inconsistencies & material contradictions on the point of place of alleged incident.

34. The management has produced a photo copy of register of record (C-53). The original register of record (C-53) has not been produced. The workman has denied the alleged misconduct. He has also denied that any letter of regret was ever given by him to the said branch manager. There is no oral evidence on this point that any letter of regret was given by the workman, which allegedly he took away forcibly from the branch manager. In this regard mere pleadings are no substitute of proof. In such circumstances, the real witness who could have proved alleged misconduct was branch manager himself. Though this fact has come on record that he is not in service but it is not the case of the management that said witness was not traceable. It reveal from the proceedings of the case that despite request of the workman, the management has not produced the said witness for reason best known to it. Had the management being fair enough to examine him in support of alleged misconduct against him, it could have been

established in cross examination that charge is fabricated by the evidence obtained in cross examination from him. Examination of the Branch Manager Sh. Bithal would have revealed whether the complaint made by him in the register of record (C-53) was correct or not & to establish that he was the best person to speak to its veracity. In 1956 Lab. I.C. 1166, Hon'ble Calcutta High Court has observed that there was a fundamental breach of principle of natural justice when real witness who could have either proved or disproved the charge were held back from the enquiry though proposed to be examined and the Vigilance Inspector was made & lead evidence not on his own but on his information alleged to have been derived from those persons. This is a clear case of breach of the said principle because had the prosecution being fair enough to examine those witnesses it could have been well established in cross examination that either they do not support charge or the charge is falsified by the evidence obtained in cross examination from those witnesses. In 2000 SCC (L&S) 85 a police constable charged of having abused his colleague while he was under the influence of liquor. However, neither complainant nor the other employee who accompanied the applicant to hospital for medical examination were examined. In such circumstances Hon'ble apex Court has observed as under:-

“ the sole ground urged is as to the non-observance of the principles of natural justice in not examining the complainant, Sh. Virender Singh and witness Jagdish Ram. The Tribunal as well as the High Court have brushed aside the grievance made by the appellant that the non-examination of those two persons has prejudiced his case. Examination of these two witnesses would have revealed as to whether the complaint made by Virender Singh was correct or not and to establish that he was the best person to speak to its veracity. So also Jagdish Ram who accompanied the appellant to the hospital for medical examination, would have been an important witness to prove the state or the condition of the appellant. We do not think the Tribunal and the High Court were justified in thinking that non-examination of these two persons could not be material. In these circumstances, were of the view that the High Court and the Tribunal erred in not attaching importance to this contention of the appellant.”

In the light of the above observations withholding material witness Sh. A. C. Bithal, Branch Manager is fatal for the management and it has caused prejudice to the workman and adverse inference could be drawn against the management for withholding material witness who was complaint and said to be the victim of alleged misconduct.

Charge No. 3

35. In view of the aforesaid discussions, the management has also failed to prove charge No. 2 against the workman. As regards charge No. 3 the allegation of

misconduct in charge No. 3 and charge No. 2 are similar except that in charge No. 3. It is also mentioned that since incident alleged in charge No. 2 occurred in front of the customers, auditors and staff members, the workman has tarnished the image of the bank. Since the charge No. 2 is not proved, therefore, on the basis of the findings of charge No. 2, charge No. 3 also stands not proved.

36. Since the management has failed to prove all the 3 charges levelled against the workman for his alleged misconduct, resultantly, the workman deserves to be exonerated from all the charges and action of the management discharging the workman from his service w.e.f. 19-5-95 can not said to be justified. Thus, the workman is entitled for reinstatement in service.

37. In regard to back wages it is pertinent to mention that workman was discharged from service in the year 1995 and reference has been made in the year 1999. The reference under adjudication is pending for last 10 years and it reveals from the perusal of the order sheets of the proceedings of the case that the workman had moved number of applications time and again including two applications for transferring the present reference to some other Tribunal. It also reveal from the perusal of various order sheets of the proceedings of the case particularly dated 22-6-04, 21-7-04, 20-3-06 and 15-5-08 that the workman himself has lingered on the proceedings unnecessarily.

38. The initial burden to prove that after discharging him from service, the workman did not remain in gainful employment was on the workman. In this regard workman has stated on oath that he is handicapped and his wife had cancer and she ultimately died during this period and he has remained out of job. He has also stated that his relatives have been helping him and he did not remain in gainful employment. In rebuttal, there is no evidence of the management. Admittedly, the workman was initially appointed as Peon in the year 1980 and promoted as Clerk-cum-Cashier in the year 1990. Keeping in view the considerable period of services rendered by the workman and his age, having regard to entire facts and circumstances of the case the interest of justice would subserved by awarding 50% back wages only.

39. Accordingly, the reference is adjudicated in favour of the workman to this extent he is entitled for reinstatement with 50% back wages, the payment shall be made within 8 weeks from the date of publication of the award failing which it shall carry interest @ 8% p.a.

40. Award as above.

N. K. PUROHIT, Presiding Officer

Lucknow
5-5-2009.

नई दिल्ली, 19 मई, 2009

का.आ. 1679.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं एस.ई.सी. एल. के प्रबंधन के संबंध निर्यातकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय जबलपुर के पंचाट (संदर्भ संख्या सीजीआईटी/एलसी/आर/123/96 को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-5-2009 को प्राप्त हुआ था।

[सं. एल-22012/387/1995-आईआर(सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 19th May, 2009

S.O. 1679.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT/LC/R/123/96) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of SECL and their workmen, which was received by the Central Government on 19-5-2009.

[No. L-22012/387/1995-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

No. CGIT/LC/R/123/96

Presiding Officer : Shri Mohd. Shakir Hasan

The Secretary,

M. P. Koyla Mazdoor Sabha,

Churcha Branch, Post Churcha Colliery,

Distt. Surguja (MP)

... Workman/Union

Versus

The Sub Area Manager,

Churcha West Colliery,

Post Churcha Colliery,

Distt. Surguja (MP)

.... Management

AWARD

Passed on this 12th day of May, 2009.

1. The Government of India, Ministry of Labour vide its Notification No. L-22012(387)/95-IR(C-II) dated 2-5-96 has referred the following dispute for adjudication by this tribunal :—

“Whether the action of the Sub Area Manager, Churcha West Colliery of Baikunthpur Area of SECL

in not promoting Sh. Ajay Kumar Guha, Cat. I Mazdoor to the post of Clerk Gr. III which he is already performing since 4-10-89 and superseding him by promoting his juniors is legal and justified? If not, what relief the workman is entitled to?"

2. In this case, the Union appeared on 25-6-2001 and 29-8-2003 but the statement of claim was not filed. Subsequently workman/Union absented. Thereafter the notice was issued through Registered post with AD but even then workman did not appear in spite of receipt of the notice. Lastly the proceeding was started ex parte against the workman on 23-5-2006.

3. The management appeared in the case and filed Written Statement. The case of the management in short is that South Eastern Coalfields Ltd. is a company registered under the Companies Act having its registered office at Bilaspur. It is stated that the terms and conditions of the employment of the employees working in the coal industry are governed by various settlements which contain the Cadre Scheme. It is stated that the employee cannot claim promotion as a matter of right rather promotion is given subject to administrative necessity, availability of sanctioned post, eligibility of the workman concerned, recommendation of Departmental Promotion Committee and other criteria such as minimum educational qualification, three years service in the company and after success in selection/test.

4. The further case is that the workman Shri Ajay Kumar Guha was initially appointed as General Mazdoor Cat-I. It is stated that qualified General Mazdoors are granted opportunity to learn the work of clerk with a view to build up their carrier. In this case, the opportunity was also granted to this workman to do the job of Clerk for few days. The workman Shri Ajay Kumar Guha was promoted as Clerk Gr. III vide order No. GM/BKP/PM/30-A/92/9077-83 dated 29/30-4-92 without adopting the procedure of promotion. As such immediately representation was received by the management alleging that similarly situated employees working in General Mazdoor Category should also be given the post of Clerk Gr. III. On such representation, the General Manager issued instruction to cancel the order. Accordingly, order No. 9048-90 dated 30-4-92 was passed and cancelled the promotion of the said workman for its review and amendment on merit. The claim of the workman was based on the ground that he was being permitted to work as a Clerk for few months but that was not the cadre scheme applicable to the management company for promotion to the post of clerk Grade-III. On these grounds, it is submitted that the award be passed that the action of Sub-Area Manager, Churcha Colliery of Baikunthpur in not promoting Shri Ajay Kumar Guha to the post of Clerk Grade-III since 4-10-89 is legal, proper and justified.

5. Now let us examine the evidence adduced by the management as to whether the management was justified in not promoting Shri Ajay Kumar Guha, Cat-I Mazdoor to the post of clerk Grade-III as has been claimed by him. The management has adduced oral as well as documentary evidence in the case. MW-1 Govind Kumar Srivastava is Dy. C. P. M. in Churcha Colliery. He has supported the case of the management. He has stated the terms and conditions of the employment of the employers are governed by various settlements which is known as National Coal Wage Agreement. It also deals promotional channel of all cadre including Ministerial staffs.

6. He has further stated that Shri Ajay Kumar Guha was initially appointed as General Mazdoor Cat-I. The copy of the appointment letter of Shri Ajay Kumar Guha is filed by the management which is marked as Exhibit M-1. The appointment letter shows that he was appointed on 2-4-87 as General Mazdoor, Cat-I. He has stated that Shri Guha was promoted as Clerk Grade No. III vide office order No. GM/BKP/PM/30-A/92/9077-83 dated 29/30-4-92 but immediately representation was received by the management for promotion to other similarly situated employees working in General Mazdoor Category to the post of Clerk Gr.-III. He has stated that on receiving instruction from General Manager, Shri Guha's promotion was cancelled vide order No. 9048-90 dated 30-4-92. The Management has filed cancellation order which is marked as Exhibit M-2. The said document shows that the said order was terminated and cancelled in view of the instruction of the General Manager for its review and amendments on merit and demerits. This shows that his appointment was not made according to the National Coal Wage Agreement as has been stated by the witness and his appointment was needed to be reviewed. This document supports the case of the management. The management has also filed photocopy of service book of Shri Guha which is marked as Exhibit M-3. The service book shows that subsequently Shri Guha was promoted as Clerk Gr. No. III vide order dated 850 dated 17-6-98/30-6-98. It appears that the matter was reviewed and considered and due promotion was given in due time.

7. Considering the entire evidence on record, I find that the action of the Sub Area Manager, Churcha West Colliery of Baikunthpur Area of SECL was justified in not promoting Sh. Ajay Kumar Guha, Cat. I Mazdoor to the post of Clerk Gr. III. Accordingly the award is passed ex parte in favour of the Sub Area Manager, Churcha Colliery, Baikunthpur Area and against the workman without costs.

8. Let the copies of the award be sent to the Government of India, Ministry of Labour and Employment as per rules.

MOHD. SHAKIR HASAN, Presiding Officer

नई दिल्ली, 20 मई, 2009

का.आ. 1680.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं इण्डियन इम्युनोलॉजिकल लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचाट (संदर्भ संख्या 128 /2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-5-2009 को प्राप्त हुआ था।

[सं. एल-42012/168/2003-आई आर (सीएम-II)]
अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 20th May, 2009

S.O. 1680.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.128/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure in the Industrial Dispute between the management of Indian Immunological Limited, and their workmen, received by the Central Government on 20-5-2009.

[No. L-42012/168/2003-IR (CM-II)]
AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT HYDERABAD

PRESENT

Shri Ved Prakash Gaur, Presiding Officer.

Dated the 4th day of February, 2009

Industrial Dispute No. 128/2004

BETWEEN

Sri E. Malla Reddy,
H. No. 2-63, Indira Nagar,
Gachibowli, Ranga Reddy Distt.,
Hyderabad-500 0323

.... Petitioner

AND

The Executive Director,
Indian Immunological Limited,
Gachibowli, Ranga Reddy Distt.,
Hyderabad-500 0323

....Respondent

APPEARANCES

For the Petitioner : Sri N. Vinesh Raj, Advocate

For the Respondent : M/s. P. Nageswar Sree,
K. Raghuram Reddy &
Ch.Venkata Raju, Advocates.

AWARD

The Government of India, Ministry of Labour by its Order No. L-42012/168/2003-IR (CM-II) dated 19-7-2004 referred the following dispute under section 10(1)(d) of the I.D. Act, 1947 for adjudication to this Tribunal between the management of Indian Immunological Limited and their workman. The reference is,—

SCHEDULE

“Whether the action of the management of Indian Immunological Limited, Gachibowli in terminating the services of Sh. E. Malla Reddy. Supervisor is legal and justified? If not, to what relief the employee is entitled?”

The reference is numbered in this Tribunal as I.E. No. 128/2004 and notices issued to the parties.

2. Petitioner filed his claim statement stating that he was appointed as technician (mechanic) in the year 1983 and he worked continuously. It is further submitted that the Petitioner used to represent his co-employees as General Secretary of the union from 1990 to 2001. It is submitted that he was issued with charge sheet dated 1-10-2001 and later placed under suspension on 5-10-2001. An enquiry was conducted and he was dismissed from the services vide orders dated 8-6-2002 which is illegal and in violation of principles of natural justice. He prays to direct the Respondent to reinstate the Petitioner with all consequential benefits.

3. Counter was filed by the Respondent. It is submitted that the Petitioner was employed as supervisor. He is not a workman. It is further submitted that he was issued with a charge sheet dated 1-10-2001 and enquiry was conducted. It is further submitted that show cause notice was issued to Petitioner, Petitioner submitted his explanation dated 21-5-2002. It is submitted that after considering all the circumstances, the Petitioner was dismissed vide letter dated 8-2-2002. Hence the petition be dismissed.

4. Parties were asked to produce their respective evidences. On 4-2-2009 also Petitioner neither present nor filed evidence affidavit while Respondent's counsel is present. Petitioner has not filed his evidence and he is not attending to his case for several dates as such, Petitioner's evidence is closed. Hence, a Nil Award is passed in absence of evidence. Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her corrected and

pronounced by me on this the 4th day of February, 2009.

VED PRAKASH GAUR, Presiding Officer

Appendix of evidence

Witnesses examined for the Petitioner Witnesses examined for the Respondent

NIL

NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 20 मई, 2009

का.आ. 1681-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस. सी. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचाट (संदर्भ संख्या 59/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-5-2009 को प्राप्त हुआ था।

[सं. एल-22012/245/2007-आई आर (सीएम-II)]
अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 20th May, 2009

S.O. 1681.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 59/2007) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure in the Industrial Dispute between the management of M/s. Singareni Collieries Company Limited, and their workmen, received by the Central Government on 20-5-2009.

[No. L-22012/245/2007-IR (CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT
AT HYDERABAD

PRESENT

Shri Ved Prakash Gaur, Presiding Officer.

Dated the 6th day of February, 2009

Industrial Dispute No. 59/2007

BETWEEN

The President (Sri Bandari Lingaiah),
Singareni Collieries Employees Union (CITU),
Qtr. No. T-39, SMG X Road,
Somagudem (Via Bellampalli PO),
Adilabad-504251.

.... Petitioner

AND

The General Manager,
M/s. Singareni Collieries Company Ltd.,
Mandamarri Division, Mandamarri,
Adilabad-504231.

....Respondent

APPEARANCES

For the Petitioner : NIL

For the Respondent : Sri M. Shankar Narayan,
Advocate

AWARD

The Government of India, Ministry of Labour by its Order No. L-22012/245/2007-IR (CM-II) dated 30-10-2007 referred the following dispute under section 10(1)(d) of the I.D. Act, 1947 for adjudication to this Tribunal between the management of M/s. Singareni Collieries Company Limited and their workmen. The reference is,—

SCHEDULE

“Whether the action of the management of M/s. Singareni Collieries Company Limited, in imposing the penalty of stoppage of three increments with cumulative effect from 1-8-2006 on Sri Gunda Shankar is legal and justified? If not, to what relief is the workman entitled?”

The reference is numbered in this Tribunal as I.D. No. 59/2007 and notices were issued to the parties.

2. On 6-2-2009 both parties called absent. Petitioner has not filed claim statement even after two years of receipt of this reference. Case is closed for want of prosecution and non-filing of claim statement Nil Award is passed. Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her corrected and pronounced by me on this the 6th day of February, 2009

VED PRAKASH GAUR, Presiding Officer

Appendix of evidence

Witnesses examined for the Petitioner Witnesses examined for the Respondent

NIL

NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 21 मई, 2009

का.आ. 1682.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैलाडिला आयरन ओर प्रोजेक्ट के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय जबलपुर के पंचाट (संदर्भ संख्या- सीजीआईटी/एलसी/आर/63/87) को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-5-2009 को प्राप्त हुआ था।

[सं. एल-2/9/86-कन.2/डी-III(बी)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 21st May, 2009

S.O. 1682.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT/LC/R/63/87) of the Central Government Industrial Tribunal/Labour Court, Jabalpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bailadila Iron Ore Project and their workman, which was received by the Central Government on 20-5-2009.

[No. L-2/9/86-Con. II/D. III (B)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

No. CGIT/LC/R/63/87

Presiding Officer : Shri Mohd. Shakir Hasan

The Secretary,
Metal Mine Workers Union (INTUC)
Bailadila Iron Ore Project,
Deposit No. 14, Kirandul,
Distt. Bastar (M.P.) Workmen/Union

Versus

The General Manager,
Bailadila Iron Ore Project,
Deposit No. 14, Kirandul
Distt. Bastar (M.P.) Management

AWARD

Passed on this 5th day of May, 2009

1. The Government of India, Ministry of Labour vide its Notification No. L-2/9/86-Con. II/D. III (B) dated 23rd March, 1987 has referred the following dispute for adjudication by this tribunal :—

“Whether in term 1&2 of the memorandum of settlement dated 6-3-81 between the management of Bailadila Iron Ore Project, Deposit No. 14 and their workmen represented by Samyukta Khadan Mazdoor

Sang over regularization of Muster Roll Employees of 11/C, the expression “agreed to regularization” agreed to similarly regularise” occurring in these terms respectively mean regularization of the concerned employees in their respective designations/grades in which they were working prior to settlement or the employer is justified in regularising them in lower designations/grades”

2. The case of the applicant in short is that Metal Mine Workers Union, Bailadila Iron Ore Project, Deposit No. 14, Kirandul is represented through their Secretary. It is stated that the management of NMDC recruited 68 workers (list enclosed) on daily rated basis during the period from 1969 to 1975 in different categories on payment of daily wages at different rates according to their designations. It is stated that these daily rated workers were brought to regular cadre sometimes in 1981 but instead of regularising them in the same designations in which they were holding during their employment on muster roll, the management regularised them in lower designations/grades. They further stated that in terms of the certified standing orders as applicable for the corporation, any workman who has completed six months of continuous service is classified as permanent and as such these daily wagers were entitled to be regularised on substantive post on which they were working. It is also stated that the muster roll of the workman appointed in Baba Bhudan in Karnataka State were regularised in regular pay scales on the designations they were originally appointed on Muster Roll whereas these workmen were regularised on the lower grade/designation. It is also stated that they have no knowledge about the settlement arrived between the management and Samyukta Khadan Mazdoor Union on this matter and majority of these workmen were members of SKMS Union. It is stated that no Union can agree for regularisation in lower designation/grades even if the management and SKMS Union had agreed to place these workmen in lower grades/designations. It is further stated that such settlement did not hold good. It is further stated that the management had violated the provisions of certified standing orders, Mines Act and other service conditions laid down for the corporation in down grading these 68 workmen of muster roll in regularising them in the lower designations/grades. On these grounds, it is submitted that regarding the settlement “agreed to regularization” agreed to similarly regularise” simply means to bring the workmen from daily wages to regular time scale and does not mean to regularise them in the lower designations/grades.

3. On the other hand, the management has also appeared and filed Written Statement to contest the proceedings. It is stated that this proceeding is referred by the Government under Sec.-36(A) of the Industrial Disputes Act which permits the Central Government to

refer a question to the Labour Court if there is any doubt about the interpretation. The party to the settlement were the SKMS Union and the management. It is stated that the said Union has not raised any doubt about the interpretation of the settlement and the Metal Mines Workers Union were not party to this settlement and this reference has been made at the instance of outsider. It is also stated that the intention of making the reference is to create an industrial unrest. It is further stated that the wordings are extremely clear as there can be no doubt about the interpretations. Further case of the management is that several peoples were newly employed on the muster roll purely on temporary/casual basis in 11/C investigation which was a separate Unit and as such, they were not on the rolls of Bailadila Iron Ore Project. This casual labours were not required to be given regular employment because it was only at investigation stage and these employees have no specific job. They have to run on vacancies that might be on the day to day basis. It is further stated that SKMS Union raised a dispute with the management claiming that these employees should not be kept in muster roll for a long time and they should be given a regular job as and when available. The management gave sympathetic consideration and regularised the muster roll employees under the clear-cut understanding that regularization will be on the lower post and that too as and when available. It is further stated that if the intention of the parties was to regularise employee in a particular category, the wording of the settlement would have been totally different and it would have been not mere "regularization" but to "regularise the post in which they were working". The wording of settlement was definitely chosen with the clear understanding that regularization under any circumstances cannot be in a higher post or on the lower post in which the employees were deemed to be working. It is stated that in BIOP, Deposit-14, certain vacancies were created due to promotions and posts in the lower cadre as and when available. As such these workmen were regularised on the lower post as per bipartite settlement between the Union and the management as per the settlement made between the parties. It is also stated that Baba-Bhudan investigation in Karnataka is a separate unit and has not connection with the administration of Deposit No.14 project. The SKMS Union demanded that these daily rated workmen be given regular job but as per tripartite memorandum of settlement entered into with the SKMS, these daily rated workmen were regularised on humanitarian ground in time scale in phased manner depending upon availability of vacancies in Deposit No.14 project. It is stated that the management has not violated any provisions of the standing orders, Mines Act as alleged by the applicant. On these grounds, it is submitted that the expression "agreed to regularization" "agreed to similarly regularise" in the memorandum of

settlement dated 6-3-81 means only regularization in lower cadre of regular post available and that the management is justified in regularising the muster roll employees in the lower designation/grades.

4. Now the important point is only to interpret the expression "agreed to regularization" and "agreed to similarly regularise". This is also to see as to whether it means regularization of the concerned employees in their respective designation grades or in which the management has regularised them in lower designation.

5. In order to prove the case, the applicant has examined only 2 witnesses. On the other hand, the management has also examined 2 witnesses and has also produced some documents.

6. Before entering into the evidence, it is necessary to deal the memorandum of settlement arrived between the employer and SKMS Union, Bailadila Branch on 6-3-1981. The terms of settlement run as follows :—

"TERMS OF SETTLEMENT"

1. It is agreed to regularise in the first instance a batch of 16 persons out of M.R.employees of 11/C by 31st March, 1981.

2. It is further agreed to similarly regularise the remaining 41 M.R. staff of 11/C in a phased manner in due time .

3. It is agreed that the parties shall send the implementation report of the settlement to the ALC(C) Raipur upto 5th June, 1981, failing which it shall be presumed that the terms of settlement have been fully implemented.

4. The union agreed to withdraw the strike notice dated 10-2-1981 in view of the aforesaid settlement."

7. On plain reading of the terms of settlement, it shows that at the first stage, the management has to regularise only 16 persons out of muster roll employees of 11/C by 31-3-1981 and the 2nd terms of settlement shows that the remaining 41 muster roll staff of 11/C is to be regularised in a similar way in due time. There is nothing in the settlement to show that they have to be regularised on the post in which they were working as muster roll employees. I find that there is no ambiguity in the terms of settlement that these workmen had to be regularised on the post in which they were appointed.

8. Now let us examine the evidence of the witnesses of the workman. WW-1 Pradeep Singh has stated in his evidence that he started working as muster roll in the year 1972 in Bailadila Iron Ore Project as Mason and the work was ended in January, 1975. Thereafter he was shifted at Deposit No.11/C in the same capacity. In the year 1981, the investigation work ended

and the management told him that there was no post of mason and they would take him as Khalasi. He has further stated that he was absorbed as Khalasi. This clearly shows that the said workman had accepted the offer of the management. He has further stated that he had never been to Baba Bhudan and never seen the settlement effected with Baba Bhudan workers. This also shows that he is not competent to say about the settlement of employee of another unit. He has further stated in his evidence that in the year 1972, he has received appointment letters of Mason but he lost it. This also shows that there is no documentary proof in possession of the workman to show that he had ever worked as mason. His evidence does not support the fact that the expression "agreed to regularisation" or "agreed to similarly regularise" means to bring the workman from daily wages to regular time scale on the post he was previously working.

9. Another witness adduced on behalf of the workman is WW-2 Kalyan Singh. He has also admitted this fact that he was Muster Roll employee as Operational Assistant since 1972 till 1981. Thereafter in the year 1981, the Khalasi post was offered to him though in Baba Bhudan, 3 employees were regularised on the same post in which they were working. His evidence clearly shows that the employee of different project were regularised in the same post as the vacancies were existing there. His evidence does not show that there were vacancies of higher post in his project and even then they were not regularised on those posts. He has further stated that he has no knowledge that there was any settlement between the Samyukta Khadan Mazdoor Sang Union and the management in presence of the Assistant Labour Commissioner (C), Raipur. This shows that he is not competent to say about the intention of the parties regarding the expression "agreed to regularisation" or "agreed to similarly regularise" as he was not present while the said settlement took place between the SKMS Union and the management in the presence of Assistant Labour Commissioner (C), Raipur.

10. It is not out of place to say that the alleged memorandum of settlement arrived between SKMS, Bailadila and the management which is the subject matter of the interpretation, show that Shri S.R. Bakshi, S.R. Titus and Shri M. Das who were representing the workman have not been examined in the proceeding though these witnesses are the most competent witnesses to say that what was the intention of the settlement with regard to the regularisation of the Muster Roll. In absence of their evidence, it appears that the applicant has failed to substantiate his contention that Muster Roll employees were to regularise on the same post in which they were working. The said settlement clearly shows that it was not the intention of

the parties to the settlement that the employees were to regularise on the same post which they were working rather their intention was to regularise in the vacancies existing in the said project.

11. On the other hand, the management has also produced oral as well as documentary evidence Ex.M-1 is the extract of clause-7.1 of Feasibility Committee report. This is filed to show that a Feasibility Study Committee was constituted to study the working conditions of the Muster Roll workmen and to assess the permanent work force required for regularization of Muster Roll Workmen of Investigation units of NMDC Limited. Thereafter the same report was rectified by the corporate Unit Bipartite Committee which is marked as Exhibit M-2. It is argued that these Feasibility Committee's recommendations were not applicable to these Muster Roll workers as these reports came into force after 7-2-1982 whereas these Muster Roll workmen were regularised in the year 1981. It is clear that these workmen cannot take any benefit from these Feasibility Reports and they are only concerned with the settlement made between the SKMS, Bailadila and the management on 6-3-1981.

12. The management has also examined two witnesses MW-1 Shri J.D.N. Rao, Asstt. Manager(Personnel), Donimalai Iron Ore Mine, Karnataka was working as Asstt. Personnel Officer at BIOP, Deposit-14 during the alleged period. He has further stated that SKMS (AITUC) raised a demand with the management that these workmen should be given some regular job as and when available because these workmen were working as Muster Roll for pretty long time. He has stated that there was no demand for regularisation in a particular post. His evidence shows that there was no intention to regularise on the post in which they were working as Muster Roll. He has further stated that SKMS issued a strike notice under I.D. Act demanding regularisation of the Muster Roll employees of 11/C investigation. He has further stated that the matter was seized by the Assistant Labour Commissioner (C), Raipur and after prolonged discussion, the dispute was resolved by arriving at a settlement on 6-3-1981 between the management of BIOP, Deposit No.14 and the workmen represented by SKMS (AITUC) Union over the regularisation of 11/C Investigation department of NMDC. He has also identified the signatures on the said settlement. He has stated that on the basis of settlement in the said memorandum of settlement, the management had regularised the Muster Roll employees of 11/C investigation in phase-wise and by way of implementation of the said settlement, the management regularised them in two batches in the post of Khalasi. He has further stated that the said Union has moved the application before the ALC (C), Raipur to remove

the ambiguity as to the interpretation and after discussion before the ALC (C), Raipur, the Union requested to close the case. This shows that there was no dispute with respect to the interpretation and regularisation of the employees of 11/C in the lowest grades. His evidence supports the case of the management. Moreover it also appears that the dispute with regard to interpretation of the said settlement has been concluded before the Assistant Labour Commissioner (C), Raipur.

13. MW-2 Mr. E. Sivan Nair was working as Jr. Manager Personnel) with NMDC Ltd., BIOP, Deposit No. 14. He was also working in the same project during the relevant period. He has also supported the case of the management and has also corroborated the evidence of MW-1 Mr. J.D.N. Rao. His evidence also shows that the Muster Roll of 11/C Investigation were to regularise simply in the said project. He has also supported that Feasibility Committee's recommendations were not applicable in the case of these workmen as this recommendation came into force after their regularisation i.e. after 7-2-1982. Moreover they had unconditionally accepted the offer to be regularised in the lowest grades. His evidence appears to have established the case of the management.

14. Considering the entire evidence on the record, I find that the management/employer is justified in regularising them in lower designations/ grades. In the result, the reference is decided in favour of the management and against the workmen/applicant without any costs.

15. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

MOHD.SHAKIR HASAN, Presiding Officer

नई दिल्ली, 21 मई, 2009

का.आ. 1683.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.पी.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, चेन्नई के पंचाट (संदर्भ संख्या-कैम्प. 1/2006 इन आई डी-17/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-5-2009 को प्राप्त हुआ था।

[सं. एल-30011/31/2002-आई. आर.(एम.)]
कमल बाखरु, डेस्क अधिकारी

New Delhi, the 21st May, 2009

S.O. 1683.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.Comp.

1/2006 in I.D. 17/2003) of the Central Government Industrial Tribunal/Labour Court, Chennai now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management BPCL and their workman, which was received by the Central Government on 20-5-2009.

[No. L-30011/31/2002-IR (M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT CHENNAI

Thursday, the 2nd April, 2009

Present: A.N. Janardanan, Presiding Officer

Comp 1/2006 in ID 17/2003

BETWEEN

The Petroleum Employees Union,
Rep. By its General Secretary)
C/o Bharat Petroleum Corporation Ltd.,
1, Ranganathan Gardens,
Anna Nagar (West)
Chennai-6000401st Party/Petitioner

And

The Dy. General Manager (HRS),
Bharat Petroleum Corporation Ltd.,
No. 1, Ranganathan Gardens
Anna Nagar (West),
Chennai-402nd Party/Management

APPEARANCE

For the PetitionerM/s. Row & Reddy
For the Management....M/s. T.S. Gopalan & Co.

ORDER

This is a complaint under Section 33(A) of the ID Act, 1947.

A Precise of the petitioner's case is as follows:

In ID 17/2003 the reference made by the Central Government is :

"Whether the demand raised by Petroleum Employees Union and Petroleum Workers Union against the Management of Bharat Petroleum Corporation Ltd. over the demand for continuing the self-lease formula without a change w.e.f. 01-06-1998 is justified? If so, to what relief the concerned workmen are entitled?"

1. Pending the reference, the members of the Petitioner Union on 22-09-2005 requested for renewal of self-lease without prejudice to the rights of the parties in ID 17/2003. The Management in the reply dated

07-12-2005 informed that the period of lease will be upto 31-12-2003, which had otherwise reached completion of 10 years and come to an end. The letter stated a number of contingencies on the happening of which and applicable to the workers that the self-lease agreement will be terminated with due notice, such as appraisal score in the case of marketing workmen regarding their performance being poor or below average, the workers not residing or letting out the property, their remaining absent on loss of pay for 30 days and their remaining on negative pay for three consecutive months. The draft lease agreement enclosed showed reduction of the lease period from 10 years to 3 years, replaced earlier terms with new terms less favourable to the employees. The employees are resulted in hardship in case the lease is cancelled under an additional Clause "Rental Payment and Maintenance Charges" were made as per the lease agreement. It is made to alter the very character of the self-lease as a service condition and it will reduced it to a mere contractual agreement. The request by letter sent to the Management not to effect changes in the self-lease scheme pending the ID was not considered. The management by a letter withdraw the self-lease facility and placed the employee on HRA w.e.f. 01-01-2006 for the alleged reason that employee did not submit the lease agreement as per the format enclosed. By the introduction of new Clause (7)(d), it will disentitle the employees to enjoy the self-lease scheme benefit. Pending adjudication in the ID, Respondent ought to have got permission from the Tribunal before altering the self-lease scheme which is in relation to the conditions of the service of the workman. There is violation of mandatory requirement of Section-33(1) of the ID Act and it is an unfair labour practice enforced prejudicially to the interests of the workmen and the same is contrary to Section-9A of the I. D. Act and Clause -8 of the IV Schedule. It is prayed that an award may be passed against the Management holding that the action illegal and to direct to continue to grant the benefit of self-lease.

2. In the Counter Statement, the Respondent raised the contentions and epitome of which is as follows:

Under Section-33(A), it is not to a Trade Union but only to a worker that there is right to complain. In the Circular dated 01-09-1995, the Management made it clear that the Rental Ceilings are to be renewed from time to time. The lease agreement was executed on the acceptance of the said offer of the eligible employees which is an agreement of tenancy and not part of a service condition. The self-lease agreement on coming to an end after August, 2005, the rights and obligations thereunder ceased after August, 2005. The Respondent informed the employees the new terms for the lease which were not acceptable by them except to a few.

Thus the tenancy agreement came to an end on 31-12-2005 and from January 2006, they became entitled only to HRA. There is no service condition connected with the scheme. The self-lease agreement conditions are not service conditions. There is no violation of any service condition to give a cause of action to the petitioners to file this petition. The referred question in ID 17/2003 has got nothing to do with the SLS agreement or Self-lease scheme, therefore no question of alteration of service condition much less prejudicial to the workmen does arise. There is no indulgence of unfair labour practice by the Respondent or contravention of Section-33(1)(a) of the ID Act. The claim of the petitioner is to be rejected.

3. The Petitioner Union in the reply statement filed, reiterated their contentions in the complaint petition and they therefore have clinged to the prayer that the complaint be allowed.

4. The points for consideration are:

(i) "Whether the action of the Management in denying the benefit of self-lease to the members of the Petitioner Union during the pendency of ID 17/2003 without permission of the Tribunal under Section-33(1) of the ID Act is illegal and void?"

(ii) If so, to what relief the Petitioner Union is entitled?

Point No. 1

5. Now as it is discernibly the ID 17/2003 has already been disposed of wherein it has been held that the conditions under the self-lease scheme do not partake the character of any service conditions. The Learned Authorised Representative of the Petitioner Union and the Learned Counsel for the Respondent vehemently argued to support their respective contentions. But it could be found that going by the recitals and the introduction of the scheme voluntarily by the Management as a scheme beneficial to the employees quite distinct from and independent of any of the service conditions applicable to them and reserving in the conditions of the very scheme itself, the right to the Management to modify the terms thereunder and necessitated by the changed circumstances and the Management having modified the conditions thereby accidentally rendering some benefits hitherto enjoyed by the employees less favourable to them does not at all afford any ground for the Petitioner Union to approach this forum seeking to pass an award restraining the Management from doing so. It is to be found that Self-lease Scheme is not a service condition. Therefore, the modification caused to the conditions in the Self-lease Scheme though ostensibly some of them turning out to be less favourable to them, the petitioner does not have any legal footing or locus-standi to complain about it.

They may either accept the scheme in full or opt to reject it in toto. They cannot be allowed to accept the favourable part and refuse the unfavourable part, since it is not a service condition which alone is open to challenge under Section-33A of the ID Act. Therefore the petitioner is not entitled to the prayer sought for.

Point No. 2

6. The petitioner is therefore not entitled to the relief prayed for. The petition is liable to be dismissed.

7. In the result the petition is dismissed. No costs. (Dictated to the P.A., transcribed and typed by him, corrected and pronounced by me in the open court on this day the 2nd April, 2009).

A. N. JANARDANAN, Presiding Officer

नई दिल्ली, 21 मई, 2009

का.आ. 1684.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार आयल इंडिया लिमिटेड के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/ग्राम न्यायालय, गुवाहाटी के पंचाट (संदर्भ संख्या-06/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-5-2009 को प्राप्त हुआ था।

[सं. एल-30012/17/2005-आईआर(एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 21st May, 2009

S.O. 1684.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 06/2005) of the Central Government Industrial Tribunal/Labour Court, Guwahati now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Oil India Ltd. and their workman, which was received by the Central Government on 20-5-2009.

[No. L-30012/17/2005-IR (M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, GUWAHATI, ASSAM

PRESENT: Shri D. K. Deb Roy, M.A., LL.B., Presiding Officer

Ref. Case No. 06 of 2005

In the matter of an Industrial Dispute Between :—

The Management of Oil India Limited, Duliajan.

Vrs.

Their Workman Sri Makhan Barthakur.

APPEARANCES

For the Workman : Sri A.Das Gupta, Advocate.
Sri S.Chakrabarty, Advocate

For the Management : Sri S.N.Sarma, Advocate
Sri N.Sarma, Advocate.

Date of Award: 11-05-200

AWARD

1. In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, the present reference is arising out of the Government Notification vide Memo No. L-30012/17/2005-IR (M) dated 25-07-2005, for adjudication of the issue as described in the Schedule.

SCHEDULE

“Whether the action of the management of Oil India Limited, Duliajan in dismissing the workman Shri Makhan Barthakur, Supervising Assistant, Land Department from service w.e.f. 12-8-2002 is fair, just and legal? If not, what relief the workman concerned is entitled to?”

2. Notice was duly served upon the parties and accordingly they appeared before this Tribunal. In order to ensure fairness and transparency both the parties were allowed to adduce evidence plethora of documents have been exhibited by the parties. The matter was heard at length.

3. The case of the workman may be reporduced below :—

Workman Makhan Barthakur was appointed as Land Clerk in Oil India Ltd. Duliajan (herein called the Management) on 4-11-76 and subsequently he was promoted to Supervising Assistant. The main objective of Oil India Ltd. is to extract curde oil. For that purpose they are to carry out drilling operation based on report of the Geological Department. Drilling operation requires acquisition of land in different places. The land department thereafter collects cadastral map to ascertain the name of the pattadars, revenue village, etc. Thereafter, value of the land is settled up in consultation with the pattadars or occupiers of the land in question. In the year 1985-86 Oil India Ltd. decided to hold some land within the area of Kathaloni area of Tengakha to carry out; their drilling operation. The area was earmarked as HJP area. On completion of the usual process the execution of sale deed was initiated. The workman was entrusted with the duties of purchasing non-judicial stamp papers amounting to Rs. 1,02,200. It is further stated in the W.S. that he purchased the stamp

papers from the authorized vendor and handed over the same to his Officer along with the receipt issued by the stamp vendor. Thereafter, he was served with a show cause notice dated 13-11-2000 alleging that he had withdrawn a sum of Rs. 1,02,200 from the Accounts Department of Oil India Ltd., Duliajan in cash for purchasing non-Judicial stamp papers in respect of purchasing land acquired for drilling purposes. But the workman neither purchased the stamp papers nor refunded the cash money and he misappropriated the entire amount. Thereafter, the workman submitted his reply on 26-12-2000 stating inter-alia that he purchased the non-Judicial stamp papers as advised by the Senior Manager (land) and accordingly the papers were handed over to him. The further case of the workman is that the money receipt issued by the vendor was also submitted to the Accounts Department. According to him the allegations levelled against him was baseless. The Management was not satisfied with the reply and formal enquiry was started against him. Mr. S. Gogoi, Mechanical Engineer was appointed as an Enquiry Officer. It is further alleged by the workman the enquiry was conducted giving a go-bye to the established principles of law and the workman was not given any opportunity to represent his case. The Enquiry Officer submitted his report on 5-12-2001 holding that the charges against the workman were proved. The Chief Manager (land) forwarded the copy of the aforesaid enquiry report on 5-1-2002 to the workman to express his opinion within 10 days. The workman submitted his written explanation against the enquiry report. Thereafter, the Disiplinary Authority without considering his representation dismissed him from service on 12-8-02. The order of dismissal was issued by the Chief Manager (land), Oil India Ltd., Duliajan with a direction to move the Chief Industrial Relation Manager, if so desired under Clause 23.1 of the Company's Certified Standing Orders. The workman preferred an appeal before the Industrial Relation Manager, which was not properly addressed to. Thereafter, the workman raised an industrial dispute for his reinstatement with full back wages. The conciliation proceeding was also initiated but the dispute could not be settled up. The conciliation officer submitted his failure report u/s 12(4) of the Industrial Dispute Act to the appropriate Government.

4. The further case of the workman is that though domestic enquiry was initiated by the Management but no Natural Justice was done to him and the matter was decided behind his back. According to him the enquiry report ex-facie appears to be illegal and should not be allowed to stand. My learned predecessor having heard both sides framed a preliminary issue as follows:

“Whether the domestic enquiry conducted by the Management was fair or not?”

5. Both the sides participated in the proceeding and adduced evidence in support of their respective claims. My learned Predecessor came to a finding that the departmental enquiry was not fair. Accordingly the present proceeding was taken up on merit.

6. The Management contested the proceeding by filing Written Statement refuting the claim of the workman. According to the Management the workman was a Supervising Assistant (land) at the relevant time and he was entrusted to purchase non-judicial stamps for execution of sale deed in respect of the lands acquired for location of HJP for drilling purpose. Accordingly the workman had drawn Rs. 1,02,200 from the Accounts Department of the Management for purchasing non-judicial stamp. However, during vigilance enquiry it came to light that the workman neither purchased the non-judicial stamps nor refunded the amount so taken by him thus misappropriated the entire amount. The vigilance officer suggested for drawal of departmental enquiry against the workman vide his letter dated 12-5-2000. In pursuance of the recommendation of the vigilance officer departmental proceeding was initiated and on completion of the enquiry it was found that the charges brought against the workman were proved amounting to misconduct and thereby he was dismissed from service with effect from 12.30 p.m. on 13-8-2002. The further case of the Management is that the workman was charge sheeted on 8-6-2000 for misappropriation of Company's money amounting to Rs. 4,82,437.50, another charge sheet issued on 9-7-2001 for misappropriation of Rs. 4,51,800, and again on 20-8-2001 for misappropriation of Rs. 2,04,436.50. That on 13-3-2002 the workman was again charged for committing fraudulent act thereby causing heavy loss to the Management. The further case of the Management is that the domestic enquiry was conducted in full compliance of the Principle of Natural Justice and the principle of “Audi-aleram partem” was also followed. The Management lastly asserted that the workman committed a serious misconduct and that is why he was rightly dismissed from service and there is no merit in the petition.

7. Heard, Mr. Dasgupta, the Learned Counsel for the workman who in his suave submission has contended inter-alia that the workman had withdrawn Rs. 1,02,200 from the Accounts Department of Management for purchasing non-judicial stamps and accordingly he purchased the same and handed over to Senior Manager (land). The workman also submitted the receipt issued by the Stamp Vendor as proof to substantiate factum of purchase of stamp papers. According to him no liability can be fastened to the workman and he may be reinstated in the service with

full backwages. Per-contra Mr. Sarma the learned Counsel appearing for the Management has controverted the submission advanced by Mr. Dasgupta. According to him it is the admitted position that the workman took Rs.1,02,200 from the Accounts Department of Management for purchasing non-judicial stamps. But he neither purchased the same nor refunded the money which is a clear case of misconduct resulting the dismissal of the workman. According to him no illegality has been committed by the Management and the order of dismissal deserves to be affirmed. Having considered the rival contentions advanced by the learned Counsel for the parties, I feel it convenient to discuss the evidence on record.

8. The workman Sri Makhan Barthakur has testified in his evidence that initially he was appointed as Supervising Assistant in the land Department of Oil India Ltd., posted at Duliajan and subsequently he was promoted to the post of Supervising Asstt. in the year 1997. According to him the function of the land department is to acquire land for drilling purpose and for this purpose Oil India Ltd. acquired a land the location of HJP and he was entrusted to purchase non-judicial stamp papers for execution of sale deed. At the relevant time Mr. S.N. Saifulla was the Manager (land). Accordingly he had drawn Rs.1,02,200 from the Accounts Department for purchasing non-judicial stamps. He purchased the non-judicial stamp papers from the registered stamp vendor namely N.Lohan, who was known to him ever before. He also received the money receipt Ext. 11 from the stamp vendor. The money receipt was forwarded to the Accounts Department. Ext. D is the photo copy of the forwarding letter dated 19-4-95. No pattadars of the land could be located as such, the Sale Deed could not be executed and that was reported to the Management vide his letter Ext. 14. Ext. 14(1) is the signature. By letter Ext.15 the workman informed the Senior Manager (land) that he handed over the non-judicial stamp papers to Mr. S.N.Saifulla, thereafter a domestic enquiry was conducted. Ext.2 is the relevant charge-sheet. He replied against the charge-sheet vide Ext. 3. Senior Manager(land) Mr. A.C. Baishya asked him vide Ext.16 to produce the acknowledgement as regards delivery of stamp papers to Mr. Saifulla. He was also asked to substantiate his claim as to the factum of purchasing of stamp papers. He has admitted that he saw Mr. Lohan deposed as a witness on behalf of the Management in the present proceeding. In the first line of the cross-examination, the workman has admitted that altogether 4 charge-sheets were submitted against him. He has admitted that no Sale Deed was executed during his tenure. This witness has specifically admitted that when he paid Rs.1,02,200 to the stamp vendor for purchasing stamps no money receipt was obtained by

him. According to him, Ext.12 is the money receipt issued by the vendor whereupon Ext. 12(1) is the signature of the stamp vendor N. Lahan. He has also admitted that though his case is that he handed over the stamp papers to Mr. Saifulla but he has not been examined by him neither in the departmental proceeding nor before this Court. The workman has further admitted that he refunded the money amounting to Rs. 1,02,200 to the accounts department vide Ext. 17. He has also admitted that he took no receipt from Mr. Saifulla to show that he handed over the stamp papers to Mr. Saifulla. The Workman during cross-examination has honestly admitted the charge sheets Ext. 19, 20, 21, & 22 submitted against him.

9. Now, let us consider the evidence of the Management. M.W.I. Narayan Lahan has stated in his evidence that he is a registered stamp vendor at D.C.'s Court, Dibrugarh. According to him a stamp vendor can sell stamp papers worth Rs. 50 to a particular person which was prevalent till 1990, subsequently it was enhanced to Rs.2,000. According to him no person from Oil India Ltd., Duliajan purchased any stamp papers from him. He has further stated so far he knows Oil India Ltd. used to purchase stamp papers directly through Treasury. He does not know the Workman Shri Makhan Barthakur. He has specifically said that Ext. 11, certificate was not issued by him nor he put his signature thereon. One officer from Oil India Ltd. came to him and had shown Ext. 11, the receipt. Vide Ext. 12, this witness has endorsed that the signature contained in Ext. 11 is neither his signature nor his seal. Ext.12(1) is his endorsement to that effect along with his signature and seal. In cross-examination this witness has stated he came to Guwahati on 27-01-2007 to depose on this case on behalf of the Management. It was suggested by the Management that he has deposed falsely on being influenced by the Oil India Ltd. though he answered in negative.

MW.2, Sri Saroj Kumar Deka has stated in his evidence that he is working as Manager (Vigilance) in Oil India Ltd., Duliajan. He knows the workman Makhan Barthakur. There were so many vigilance cases pending against him and he enquired into the vigilance cases. He also conducted the vigilance case in connection with the present reference case involving Rs.1,02,200 in respect of purchase of stamp papers by the workman. The workman had drawn Rs.1,02,200 from Accounts Department vide Ext.13 on 14-5-94. This witness has further stated that when the workman was asked as to what had happened about the purchase of Non-Judicial stamp papers, he replied that he handed over the stamp papers to Mr. S.N.Saifulla. Thereafter, Mr. Barthakur was asked by the Manager to submit receipt, if any, to show that stamp papers were in fact handed to Mr. Saifulla. The witness has further stated that the workman informed the Management vide Ext.17

Therefore, no question of termination arises. There is no either any question of unfair labour practice on the petitioner.

5. The points for determination are:

- (i) Whether the non-employment of the petitioner by the Management is legal and justified?
- (ii) if not, to what relief the petitioner is entitled?

Point No. 1

6. On the side of the petitioner, WW 1 and WW 2 were examined and Ex. W 1 to Ex. W 12 were marked. No evidence was adduced on the side of the Respondent. Heard the Respondent in spite of several adjournments granted to the petitioner, he did not place his oral or written arguments.

7. WW 1 and WW 2 are the two witnesses examined on the side of the petitioner. Their evidence is not of a nature to render even a preponderating probability of the petitioner's case being true. Their testimony together with the documentary evidence adduced does not at all show that the petitioner was at any time under the employment of the Respondent. He was only a contract employee under various Engineers who were working in project areas not shown to be working under Respondent. There is no evidence of any kind to prove that the petitioner has been receiving any wages from the Respondent's office. It is seen that whatever payments were being made to the petitioner were made under hand receipts given by the different officers under whom the petitioner had been attached. After the examination of two witnesses on the side of the petitioner, he further wanted to get three other witnesses also examined and to that end he filed IA 15/2001 for an order to issue summons to them. The same was dismissed by this Tribunal on 22-2-2001 against which in Writ before the High Court of Madras filed as WP No. 4944/2001 as per the order dated 28-8-2008, the High Court directed the three witnesses to be summoned and allowed to be examined by the petitioner. Thereafter, summons were issued to be said three witnesses. But the summons could not be served and they were returned. The said witnesses could not be procured for examination. The petitioner did not pursue further steps or any steps with the required efficacy to have them procured before this Tribunal for examination. Therefore, the evidence is left with what had been let in already. The said evidence is of no avail to substantiate the case of the petitioner that he was an employee under the Respondent rather than being an employee of the nature of contract labour. Therefore, as rightly contended by the learned counsel for the Respondent, the petitioner is having only the status of a contract labour. Any service rendered under a contractor cannot be equated with any service under the Respondent and, therefore, whatever has been the length of service rendered by him, he cannot become entitled to a right under the Respondent so as to characterize his termination as

one giving rise to any cause of action to raise any claim against the Respondent. He was not terminated from service of the Respondent. He is not entitled to be employed under the Respondent. There does not arise any question of unfair labour practice. It is also equally correct to say that no question of retrenchment of petitioner, notice of retrenchment or payment of compensation in lieu of notice or retrenchment compensation or any question of employment of the petitioner arises under the Respondent.

Point No. 2

8. The Respondent is not under a duty to provide employment to the petitioner and, the non-employment of the petitioner under the Respondent is only legal and justified since he has not succeeded to establish any existing or prospective right to be employed under the Respondent. In the light of above finding, the petitioner is not entitled to any relief.

9. The reference is answered as above.

(Dictated to the P.A., transcribed and typed by him. corrected and pronounced by me in the open court on this day the 12th May, 2009)

A.N. JANARDANAN, Presiding Officer

Witnesses Examined :

For the I Party/Petitioner WW 1, Sri G. Sethuram

For the II Party/ Management WW 2, Sri G. Loganathan

Documents marked on the side of the Petitioner

| Ex. No. | Date | Description |
|----------|------------|--|
| Ex. W 1 | 19-1-1998 | Representation of petitioner |
| Ex. W 2 | 21-9-1998 | Representation of petitioner |
| Ex. W 3 | 30-10-1998 | Representation of petitioner |
| Ex. W 4 | 23-4-1999 | Representation of petitioner |
| Ex. W 5 | 21-8-1992 | Certificate by Additional Chief Engineer |
| Ex. W 6 | 21-9-1992 | Certificate by Asstt. Engineer |
| Ex. W 7 | 23-2-1992 | Certificate by Jr. Engineer |
| Ex. W 8 | 16-3-1998 | Certificate by Anil Kumar Engineering Contractor |
| Ex. W 9 | 18-3-1998 | Certificate by R.G. Lakshminpathi and Co. |
| Ex. W 10 | 23-3-1998 | Certificate by R. Ramanjulu |
| Ex. W 11 | 11-6-1990 | Letter of R.R. Pillai |
| Ex. W 12 | - | Copy of Identity Card. |

On the Management's side

| Ex. No. | Date | Description |
|---------|------|-------------|
| | | Nil |

नई दिल्ली, 21 मई, 2009

का.आ. 1686.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ओ. एन. जी. सी. के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं. 2 मुम्बई के पंचाट (संदर्भ संख्या सीजीआईटी-2/107/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-5-2009 को प्राप्त हुआ था।

[सं. एल-30011/37/2001-आई.आर.(एम)]

कमल बाखरु, डेस्क अधिकारी

New Delhi, the 21st May, 2009

S.O. 1686.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT-2/107/2001) of the Central Government Industrial Tribunal/Labour Court No. 2, Mumbai now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of ONGC and their workman, which was received by the Central Government on 20-05-2009.

[No. L-30011/37/2001-IR(M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, MUMBAI**

Present : A. A. Lad, Presiding Officer

Reference : CGIT-2/107 of 2001

Employers in relation to the Management of Oil and Natural Gas Corporation Ltd.

The Executive Director (MRBC)
Oil and Natural Gas Corporation Ltd.,
Vasudhara Bhavan
Bandra (E) Mumbai-400 051

AND

Their Workmen
The Deputy General Secretary
General Employees Union
Tel Rasayan Bhavan
Tilak Road, Dadar, Mumbai-400 014.

APPEARANCE

For the Employer : Mr. G. D. Talreja, Representative
For the Workmen : Mr. J. H. Sawant, Advocate

Mumbai, dated the 13th March, 2009.

AWARD

The Central Government of India, Ministry of Labour by its Order No. L-30011/37/2001-IR(M) dated 10-8-2001 in exercise of the powers conferred by clause (d) of Sub-section (10) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 have referred the following dispute to this Tribunal for adjudication :—

“Whether the action of the management of ONGC Ltd., Mumbai in not accepting the demands raised by General Employees Association, Mumbai vide their strike notice dated 3-8-2000 (except demand No. 3, 5, 16 and 4) is legal and justified? If not, what relief the workmen concerned are entitled to?”

2. Claim Statement is filed at Ex-6 by Dy. General Secretary of the Association which was replied by First Party by filing written statement at Ex-11. Thereafter Union filed application Ex-13 for interim relief which was replied by first party at Ex-17. Issues are framed at Ex-12 and matter was fixed for recording of evidence. Meanwhile at the request of union, matter placed before Lok Adalat vide Ex-22 and by Ex-23 second party union filed application for disposing of reference. Hence the order :

ORDER

Vide Ex-22 and 23, reference is disposed in Lok Adalat.

Dated : 13-3-2009 A. A. LAD, Presiding Officer

EX-22**BEFORE THE LOK ADALAT HELD ON 13TH MARCH, 2009**

Proceeding in respect of
Reference No. CGIT-2/107/2001

Parties :

ONGC

and

their workman

Panel

Shri S. B. Kadam

Shri M. B. Anchan

Shri S. V. Alva

Appearance :

For the First Party : Mr. S. Patil

For the Second Party : Mr. Jaiprakash Sawant
alongwith Mr. D. N. Vidhate

Mr. Jaiprakash Sawant, Advocate informs that the union is not interested in pursuing the above reference. An application signed by Mr. Sawant, Advocate and Shri Vidhate is taken on record. Matter fixed for passing Award.

| | | |
|--------------------|--------------------|----------------------|
| Sd/- | Sd/- | Sd/- |
| (Shriram Patil) | (J. H. Sawant) | (D. N. Vidhate) |
| Adv. for 1st Party | Adv. for 2nd Party | Gen. Secy. |
| | | Gen. Employees Assn. |

Seen

Sd/-
Presiding Officer
CGIT-2, Mumbai

| | | |
|---------------|----------------|--------------|
| Sd/- | Sd/- | Sd/- |
| (S. B. Kadam) | (M. B. Anchan) | (S. V. Alva) |
| Panelists | | |

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. 2, MUMBAI****Ref. CGIT-2/107 of 2001**

ONGC Ltd., : First Party

V/s.

Their Workmen Represented by
General Employees Association : Second Party**Application for disposal of the reference for want of
prosecution.****MAY IT PLEASE YOUR HONOUR :**General Employees Association representing the
second party hereby apply for disposal of the reference for
want of prosecution.

Mumbai

Dated :

Identified by me

Sd/-

(J. H. Sawant)
Adv. for 2nd party

Sd/-

(D. N. Vidhate)
Gen. Secy. General
Employees Assn.

Seen

No objection

Sd/-

Sd/-

13-3-2009

(For First Party)

Presiding Officer
CGIT-2, Mumbai

Taken on record

Sd/-

13-3-2009

(M. B. Anchan)
Panelist

नई दिल्ली, 21 मई, 2009

का.आ. 1687.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ओ. एन. जी. सी. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, हैदराबाद के पंचाट (संदर्भ संख्या 6/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-5-2009 को प्राप्त हुआ था।

[सं. एल-30011/58/2006-आई आर (एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 21st May, 2009

S.O. 1687.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.6/2007) of the Central Government Industrial Tribunal/Labour Court,

Hyderabad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of ONGC and their workman, which was received by the Central Government on 20-05-2009.

[No. L-30011/58/2006-IR(M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT
HYDERABAD****Present : Shri Ved Prakash Gaur, Presiding Officer****Dated the 23rd day of February, 2009****Industrial Dispute No. 6/2007****BETWEEN**

The General Secretary,
Visakhapatnam Harbour & Port
Workers Union, H. No.26-26-27,
Harbour Approach Road,
Visakhapatnam-530013

Petitioner

AND

1. The Asstt. Manager,
ONGC Ltd., Krishana Godavari
Project, Godavari Bhawan,
Base Complex,
Rajahmundry-533106
2. The President,
M/s. Ex. Servicemen Re-settlement
Co-ordinate Cooperative Society Ltd.,
D. No. 44-15-11, Auto Centre,
By Pass Road, Rajahmundry-533103

Respondent

APPEARANCES

For the Petitioner : Nil
For the Respondent : Nil

AWARD

The Central Government, Ministry of Labour by its order No. L-30011/58/2006-ID(M) dated 14-12-2006 referred the following dispute under Section 10(1)(d) of the I. D. Act, 1947 for adjudication to this Tribunal between the management of ONGC Ltd., and another and their workman. The reference is:—

SCHEDULE

“Whether the action of the management of Ex-servicemen Re-settlement Co-operative Society Ltd., Rajahmundry, the contractor of Oil & Natural Gas Corporation Ltd., Rajahmundry Asset in terminating the service of Sri P. Siva Kumar and 6 others (as per list), Ex-security Guards at Visakhapatnam Fishing Harbour Area, as contended by the Visakhapatnam Harpourt & Port Workers Union is legal and/or justified? If not, to what relief the concerned workmen are entitled?”

The reference is numbered in this Tribunal as I.D. No. 6/2007 and notices were issued to the parties.

2. For several adjournments including today, i.e. 23-2-2009, both parties called absent. Petitioner has not filed claim statement. As such, in absence of Petitioner's pleadings, Nil Award is passed.

Award passed accordingly. Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant Transcribed by her corrected and pronounced by me on this the 23rd day of February, 2009.

VED PRAKASH GAUR, Presiding Officer

Appendix of evidence

| | |
|--|--|
| Witnesses examined for the Petitioner | Witnesses examined for the Respondent |
|--|--|

Nil

Nil

Documents marked for the Petitioner

Nil

Documents marked for the Respondent

Nil

नई दिल्ली, 22 मई, 2009

का.आ. 1688.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेन्ट्रल ग्राउंड वाटर बोर्ड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नागपुर के पंचाट (संदर्भ सीजीआईटी/एनजीपी/66/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-5-2009 को प्राप्त हुआ था।

[सं. एल-42012/29/92-डी. II(बी)/आई आर (डी.यू.)]
सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 22nd May, 2009

S.O. 1688.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT/NGP/66/2003) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Central Ground Water Board and their workmen, which was received by the Central Government on 22-05-2009.

[No. L-42012/29/92-D.II(B)/IR(DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

BEFORE SHRI A.N. YADAV, PRESIDING OFFICER,
CGIT-CUM-LABOUR COURT, NAGPUR

Case No. CGIT/NGP/66/2003

Date: 07-05-2009

Petitioner/
Party No. 1

Shri Goverdhan Haribhau
Paunikar, C/o Ganpatrao
Ninawe, Raghuji Nagar,
Quarter No. 5/119,
Post Raghuji Nagar, Nagpur

Versus

Respondent/
Party No. 2

The Director,
Central Ground Water Board,
1st Floor, N.S. Building, Civil
Lines, Nagpur.

AWARD

(Dated : 7th May, 2009)

1. The Central Government after satisfying the existence of dispute between Shri Govardhan Haribhau Paunikar, Nagpur (Party No.1) and the Director, Central Ground Water Board, Nagpur (Party No.2) referred the same for adjudication to this Tribunal vide its letter No.L-42012/29/92-D-2(B)-IR(DU) dated 30-4-1992 under clause (d) of sub section (1) and sub section (2A) of Section 10 of Industrial Dispute Act, 1947 (14 of 1947) with the following schedule.

2. "Whether the Central Ground Water Board, Nagpur is an Industry under Section 2 (J) of the I. D. Act, 1947. If so, whether the action of the management of Central Ground Water Board, Nagpur in terminating the services of Shri Goverdhan Haribhau Paunikar, Casual Worker/Contingent Staff w.e.f. 8-5-1984 and regularizing the two junior workmen ignoring his claim being senior to them, is justified and legal? If not, to what relief the workman is entitled?"

3. The Petitioner approached with the contention that he was appointed through Employment Exchange as a Casual Worker by Party No.2 w.e.f. 5-6-1976 and was terminated and/ or retrenched and/ or discharged w.e.f. 8-5-1984. He claims that the Order dated 8-5-1984 terminating him is illegal. According to him, the Party No.2 is an industry within the meaning of the I.D. Act 1947. He requested for a proper categorization, but it was denied by the management by an Order dt. 15-5-1980 illegally. He was asked by letter dt. 25-6-1985 to perform the duties in Establishment Section from 26-6-1985 from his position to the chemical laboratory. He was working in the Store Department. He, by letter dt. 1-1-1985 and 25-5-1985, represented to the Chairman of the Board for reliefs, but his requested was not responded. He continuously worked without any break from 5-6-1976 to 8-5-1984 as a Skilled and Un-skilled worker. In the seniority list of the contingent staff of the board as on 1-4-1982 his name was at Sl. No. 62. Despite of the long tenure of eight years, he was not regularized. His junior Shri Omprakash Kahar at Sl. No. 82 and Shri Kevaldas Wase at Sl. No. 84 were retained and also made regular. However, the Petitioner was arbitrarily removed by an Order dt. 8-5-1984 without following the provision of Section 25F and G of Industrial Dispute Act, 1947. The notice of retrenchment was never served. The compensation was not offered and paid. Thus the retrenchment is void. The Respondent Board constitutes an Industry as defined under the Act. The Petitioner raised his dispute challenging his termination. Finally, as conciliation was not possible, the dispute is referred to this Tribunal.

He has prayed to quash the Order of termination dtd. 8-5-1984 and further direct the Party No. 2 to reinstate him with full back wages.

The Respondent appeared and filed its WS. Having admitted the service tenure of the Petitioner, it has denied that he was rendering services to the satisfaction of the management and his service record was excellent. It has denied that the Order of termination is illegal. He worked as a Contingent Labour from 5-6-1976 to 8-5-1984 and requested for regularization. However till his termination i.e. 8-5-1984, the proposal of regularization of Contingent Labour was pending due to the administrative and financial reasons like sanction and approval of the competent authority at New Delhi. Shri Kahar and Wase were regularized in 1983-84 as their confidential reports were good which were considered at the time of regularization. The confidential reports of the Petitioner were not good.

Again by filing additional WS it has made more submissions. The management has submitted that the Central Ground Water Board is a department under the Ministry of Water Resources and its employees are governed under CCS (CC&A) Rules and they are paid from the consolidated funds from the Government of India. They are categorized as Group A, B, C and D. Considering the nature of activity of Respondent, it is not an industry. Hence, according to it on this ground only the reference needs to be dismissed.

Further, it has also contended that the performance of the Petitioner was unsatisfactory. He participated in illegal strike, abused civil servant in office premises during office time. Earlier he was found guilty of stealing the Government properties from the office. The Petitioner was arrested and charged under Section 135 of Bombay Police Act. The competent authority was found him unsuitable to continue further. Thus according to it, the Party No. 2 is not industry and the claim deserved to be dismissed and accordingly it has prayed for the same.

Heard the counsel for the Petitioner and the management has filed written notes of argument. Undisputedly, the Petitioner was engaged as a contingent worker w.e.f. 5-6-1976 after sponsoring from employment exchange. He continuously worked till the termination i.e. on 8-5-1984. There is no dispute that he was in continuous service for near about 8 years and the management terminated his services without notice, without enquiry and without payment of any compensation. According to the management, he being a contingent labour as his record was not good, his service were terminated. The question is whether the termination is illegal and proper. One more point has been raised by the Petitioner that his junior were continued in the service. They were retrenched and again taken in the service. These facts are also undisputed on behalf of the management and its reply is that since the Petitioner was not having a good confidential remark, he was not called again. Undisputedly, Shri Kahar and Shri Wase who are junior to the Petitioner are still working with the respondent management. The services of all the persons at least at the time of filing of the claim were not

regularized. According to the management, the issue was pending for the decision of the higher authorities and approval from it. How this can be a defence for the claim of the Petitioner? The Petitioner was working continuously for 8 years on the daily wages. Without making him permanent or regularizing his services, and paying cadre pay scale, he was continued as casual workman. He was not at all given permanency. This itself is very much unfair on the part of the respondent. The height of unfairness is in terminating him without following principle of first come last go and retaining the seniors in the service by terminating junior if needed. No notice was given to the Petitioner or notice pay was not also given. In fact, he had completed 240 days in every year for 8 years continuously still his services were not regularized and the management continued to take the work from him as a contingent labour. Finally on 8-5-1984 he was kicked out without any enquiry, without any notice and without payment of any retrenchment compensation though he was entitled for all the above benefits and formalities. Despite it the respondent claims that his termination was legal. I fail to understand how the management supporting its termination. It is in fact a arbitrary act of the management.

By filing an additional statement, stand has been taken as it is not an industry as it is a department under the Ministry of Water Resources under Government of India. The employees of the Central Ground Water Board are governed under CCS (CC&A) Rules and are paid from the consolidated funds at Government of India and categorized as Group A, B, C & D. The Board is mainly carrying out scientific studies for development of the ground water resources. The entire activities of the Board which is subordinate department in the Ministry of Water Resources is a non-industrial and the Board is not an Industry. It seems that though it is of a Central Government Department, it is an Industry within the meaning of Sub-section J of Industrial Disputes Act 1947 because the industry includes calling of the employer and calling service employment, handicraft or industrial occupation or avocation of the workman. The meaning of industry is wide enough to cover the management i.e. Party No. 2. In my view, the respondent is an industry and the Industrial Dispute Act is applicable to it. Since the services of the Petitioner are terminated without following due procedure, we have to be declared as illegal. It is not precedent by an enquiry. Respondent No. 2 is claiming that he was no more required by Party No. 2 because his performance was not found satisfactory and not found suitable for the Government work. The management has given in notes of argument some of the examples of his mis-conduct. If the Petitioner had committed any mis-conduct, it was necessary to initiate enquiry and after a domestic enquiry terminate his services. Since he was engaged after sponsoring from the Employment Exchange on permanent post, it was necessary to award permanency on him. His unsatisfactory performance or unfavourable confidential reports has no relevance with awarding permanency. Moreover, his junior were continued retrench and again taken in the service avoiding the Petitioner though he was senior. This definitely amounts to unfair labour practice. The respondent has filed the

seniority list which supports the contention of the Petitioner. The evidence of the Petitioner and documents filed by him clearly establishes that he was entitled for the permanency as well as seniority among the contingent labour. At the time of retrenchment, it was necessary to pay the retrenchment compensation as necessary under the provision of Section 25(F) and 25(H) of Industrial Disputes Act 1947. As it was not paid and the proper procedure was not followed, his termination will have to declare as illegal and accordingly I declare it as illegal.

Since his termination is illegal, the natural consequences follow that he will have to be treated in the service. Similarly, he would also be entitled for the back wages. However, there is no specific evidence to show that the Petitioner had no source of income and he was actually not performing any work. In my view, 50% back wages from the date of his termination should be paid to him. I pass the following Order.

ORDER

1. The management is directed to reinstate the Petitioner if he has not completed the age of superannuation.

2. It shall regularize his services in the lowest cadre from the date of his termination till the superannuation or for the further period of his remaining service within a month from the date of publication of Award.

Date: 07-05-2009.

A. N. YADAV, Presiding Officer

नई दिल्ली, 22 मई, 2009

क्र.आ. 1689.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडिया गवर्नमेन्ट मिनट के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचाट (संदर्भ संख्या 129/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-05-2009 को प्राप्त हुआ था।

[सं. एल-16025/3/2009-आई.आर.(डी.यू.)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 22nd May, 2009

S.O. 1689.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 129/2006) of the Central Government Industrial Tribunal-cum-Labour Court Hyderabad as shown in the Annexure in the industrial dispute between the employers in relation to the management of India Government Mint and their workman, which was received by the Central Government on 22-05-2009.

[No. L-16025/3/2009-IR(DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT HYDERABAD

Present : Shri Ved Prakash Gaur, Presiding Officer

Dated the 16th day of February, 2009

Industrial Dispute L.C.I.D. No. 129/2006

BETWEEN

Sri Ch. Ashok Kumar,
S/o Ch. Govindu,
R/o H. No. 12-1-389, Lalapet,
Secunderabad-500017

....Petitioner

AND

1. The Secretary,
M/o Finance, Govt. of India,
D/o Economic Affairs,
New Delhi-110011.

2. The General Manager,
India Government Mint,
IDA Phase II, Cherlapally,
Hyderabad

...Respondents

APPEARANCES

For the Petitioner : M/s. C. Vijaya Shekar Reddy,
G. Srinivasa Reddy, Y. Ranjeeth
Reddy and S. Vijay Venkatesh,
Advocates.

For the Respondent : M/s. P. Ravinder Reddy and
M. Mallikarjun, Advocates.

AWARD

This is a case taken under Sec. 2A (2) of the I.D. Act, 1947 in view of the judgment of the Hon'ble High Court of Andhra Pradesh reported in W.P. No. 8395 of 1989 dated 3-8-1995 between Sri U. Chinnappa and M/s. Cotton Corporation of India and two others.

2. The Petitioner filed his claim statement stating that after undergoing a thorough selection procedure he was appointed as a Quality Control Assistant vide order dated 3/8-7-2003. Later he was terminated from service vide order dated 1-6-04 by 2nd Respondent and he prays to direct the Respondent for his reinstatement.

3. A counter was filed by the Respondents denying the averments made by the Petitioner. It is submitted that the Petitioner was appointed as Quality Control Assistant w.e.f. 10-7-2003 (FN) for a period of one year. It is further

submitted that as the appointment of the Petitioner is purely on ad hoc basis, his services were terminated w.e.f. 1-6-2004. Hence, the petition be dismissed.

4. On 16-2-2009 Petitioner has not attended his case, while Respondent's counsel is present. The case is fixed for Petitioner's evidence but none is present from the side of the Petitioner and no memo for adjournment is filed, as such, case is closed. Hence, Nil Award is passed in absence of evidence.

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her corrected by me on this the 16th day of April, 2009.

VED PRAKASH GAUR, Presiding Officer

APPENDIX OF EVIDENCE

Witnesses examined for the Petitioner Witnesses examined for the Respondent

NIL

NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 22 मई, 2009

क्र.आ. 1690.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार कमांडिंग ऑफिसर, आईएनएस, वीरबाहु के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचाट (संदर्भ संख्या 114/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-05-2009 को प्राप्त हुआ था।

[सं. एल-14012/18/2004-आई.आर.(डी.यू.)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 22nd May, 2009

S.O. 1690.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 114/2004) of the Central Government Industrial Tribunal-cum-Labour Court Hyderabad as shown in the Annexure in the industrial dispute between the employers in relation to the management of Commanding Officer, INS Virbahu and their workman, which was received by the Central Government on 22-05-2009.

[No. L-14012/18/2004-IR(DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT HYDERABAD

Present : Shri Ved Prakash Gaur, Presiding Officer

Dated the 27th day of April, 2009

Industrial Dispute No. 114/2004

BETWEEN

Sri M. Jangamaiah,

D. No. 71-31-1701 Kakaralova,

Jaindhra Colony, Gandhigram (Post),

Visakhapatnam—530005

....Petitioner

AND

The Commanding Officer,

INS Virbahu, Naval Base (PO),

Visakhapatnam—530014

...Respondents

APPEARANCES

For the Petitioner : M/s. S. Rama Rao and D.J. Murthy,
Advocates.

For the Respondent : Sri D. Ramesh, Advocate

AWARD

The Government of India, Ministry of Labour by its Order No. L-14012/18/2004-IR(DU) dated 24-8-2004 referred the following dispute under section 10(1)(d) of the I.D. Act, 1947 for adjudication to this Tribunal between the management of INS Virbahu and their workman. The reference is,

SCHEDULE

"Whether the action of the management of INS Virbahu, Visakhapatnam in terminating the services of Sh. M. Jangamaiah, Ex-helper in the Unit Run Canteen with effect from 11-3-2003 is legal and/or justified? If not, to what relief the concerned workman is entitled?"

The reference is numbered in this Tribunal as I.D. No. 114/2004 and notices issued to the parties.

2. After receipt of this reference, workman Sri M. Jangamaiah, submitted his claim statement stating therein that he was initially appointed as helper in the Unit Run Canteen at Virbahu during the year 1978 on consolidated pay of Rs. 150 p.m. Since then the Petitioner was working as helper to the entire satisfaction of his superiors. His monthly salary was subsequently raised to Rs.450 p.m. after completion of 3 years of service and there after his salary was increased to Rs.700 p.m. till the date of his regular appointment, i.e., on 1-6-2001. Thereafter he was drawing a monthly salary of Rs.2550 in the said post. The Petitioner was placed under probation for one year while giving regular appointment certain terms and

conditions were fixed according to the condition of the service and Petitioner was required to deposit a sum of Rs.5000 towards security deposit with the officer incharge of the canteen organization and the said amount has to be returned on retirement of the Petitioner. Accordingly the Petitioner deposited the said amount with Andhra Bank, INS Virbahu Extension branch. The Petitioner was directed to undergo medical examination which was carried on 20-12-2001 in the Civilian Services of the Respondent Organization and after medical examination the Petitioner was found fit for permanent appointment and appointment letter was issued by the Respondent management on 17-1-2002 and the services of the Petitioner was confirmed. While doing so during the month of February, 2003 the Petitioner requested Respondent management for grant of loan of Rs.3000 in connection with the construction of his house. The concerned official of the Respondent had taken signature of the Petitioner on the pretext of granting loan and arranged a sum of Rs.5000 which the Petitioner thought that it was the loan sanctioned by the Respondent. But to his shock and surprise the Respondent organization issued letter No.411/01/URC dated 11-3-2003 as if the Petitioner resigned to his post on health grounds vide letter dated 14-2-2003 and the Respondent permitted the Petitioner to resign from the post w.e.f. 11-3-2003 as requested and the same has been alleged to have been accepted w.e.f. 11-3-2003. This act of Respondent demonstrates the evil mind of the one of Respondent Subordinate management namely Mr. P.M. Yadav who harassed the Petitioner and troubled the Petitioner for personal reasons. The Petitioner stated that he has never resigned from his post on the health ground as he is hale and healthy. The above said official has hatched a plan to send the Petitioner from the organization. Petitioner made several representations to put him back in the service but the Respondent has not permitted the Petitioner to resume his duties, then the Petitioner approached Assistant Labour Commissioner(C) who held conciliation proceeding which ended in failure and finally the matter was referred to the Government of India which has referred the dispute to this tribunal. The Petitioner has requested that he is only 53 years of age, he has not resigned from the post as such the action of the management in accepting the resignation from 4-2-2003 be declared as illegal and Petitioner be ordered to be reinstated in the post.

3. The management has filed counter statement wherein the management has stated that the Petitioner was employed as helper w.e.f. 1-1-2001 in the unit run canteen which run by non public fund of this establishment. The canteen is run for the welfare of defence service personnel for their convenience. At the time of employment the copy of the terms and

conditions applicable to the Petitioner was handed over to him. He was not employed as regular worker or as central government employee. But he was employed as casual worker and he was paid Rs. 2550 p.m., as honorarium since 1-6-2001. On 11-2-2003 the Petitioner requested the officer in charge, unit run canteen for termination of his service on medical grounds due to old age and ill-health. Medical opinion was also sought and the medical officer advised Petitioner for sedentary duties due to ill-health. Due to his old age and illness he was not able to do the required job as helper, which demands lifting a heavy packages and such other physical work. The request of Petitioner was considered and he was granted his request. It has been further stated by the Respondent that from the attendance register it is evident that Petitioner was absent for 8 days in January, 2003 and 9 days in February, 2003 out of 11 days. Subsequently his services were terminated on 11-2-2003 as requested by him and at the time of termination of his services the security deposit of Rs.5000 and balance of wages were paid to him. It has further been submitted that Petitioner has otherwise attained the age of superannuation. He is now of 65 years of age and accepted the terms of appointment, he is liable for the superannuation at the age of 58 years. As such his claim is fit to be dismissed and he is entitled for no relief.

4. Parties have been directed to file their respective evidences. Petitioner has filed appointment letter Ex. W1, letter of Respondent dated 11-3-2003 Ex.W2, Petitioner's representation dated 21-5-2003 is Ex.W3, Minutes of conciliation proceedings dated 19-11-2003 is Ex.W4, and letter dated 19-11-2003 issued by the Labour Enforcement Officer(C) to the Respondent is Ex.W5. Again letter dated 5-12-2003 by Labour Enforcement Officer (C) to Respondent is Ex.W6. Staff minutes sheet dated 20-12-2001 is Ex.W7. Workman has filed his affidavit as his examination in chief and presented himself for cross examination and has been cross examined by the Respondent management.

5. The Respondent management has filed affidavit of Sri B.N. Yadav, Petty Officer cum Medical Assistant in INHS Asvini at Mumbai as MW1 and presented him for cross examination. Respondent as further filed affidavit of Surgeon Lt. Commander Sri Kamal Mishra as MW2 and has presented him for his cross examination and he has been cross examined by the Petitioner. Respondent management has filed xerox copy of Rules regulating the terms and conditions of the services of Civil employees of unit run canteen dated 28-4-2003. Copy of the terms and conditions dated 14-9-2001, Memo dated 10-2-2003 for unauthorized absence from duty, memo dated 6-1-2003 for unauthorized absence from duty and memo dated 9-12-2004 for unauthorized absence from duty. Copy of

resignation letter of Mr. M. Jangamaiah, Ex.M I medical certificate given by Surgeon Lt. Commander Kamal Mishra and receipt of security deposit by the Petitioner and certificate of the receipt of the dues dated 11-3-2003.

6. I have heard Learned Counsel for the Petitioner and have gone through the pleadings and evidence adduced before this court. It is not disputed between the parties that the Petitioner was appointed as a regular employee of the unit run canteen w.e.f. 1-1-2001. It is also not disputed between the parties that the Petitioner was relieved from the duty on 11-3-2003. The industrial dispute is that Petitioner claimed that he did not submit any resignation letter on 11-2-2003 whereas the Respondent management alleges that Petitioner has submitted his resignation letter on the ground of ill-health and thereby he was asked to undergo medical checkup and after receiving the medical report his request was accepted by the management. The Respondent management has filed copy of the resignation letter of the Petitioner workman and the medical certificate which is issued by the Surgeon Lt. Commander Mr. Kamal Mishra, MW1 who has presented himself before this court for his cross examination by the Petitioner. MW2, Mr. Kamal Mishra has stated that he examined Mr. M. Jangamaiah who was of age 65 years when he was suffering from Bronchial Asthma and Hyper Tension and he advised him for sedentary duties. This proves that the workman and present Petitioner was examined by MW2 Mr. Kamal Mishra, who certified that the present Petitioner was suffering from Bronchial Asthma and Hyper Tension. He advised for sedentary duties meaning thereby that the Petitioner was not fit to perform heavy works. It is also evident from the own resignation letter of the Petitioner that he requested the management to relieve him from the duty because he was medically unfit and unable to perform heavy physical work. This fact has been substantiated by Mr. B.N. Yadav, Petty Officer of then INS Veerbahu, who was Officer Incharge of the Unit Run Canteen. No doubt, Mr. B.N. Yadav has stated during his cross examination that Ex.W7 was certificate issued by Mr. V.R.G. Patnaik, Surgeon Commander certified the Petitioner is fit to permanent appointment. This certificate relates to the year 2001 when the Petitioner was appointed on regular basis. Had the Petitioner been found fit in the year 2001 it is not necessary that he would remain fit in the year 2003 also. In the year 2003 and on 10-3-2003 the Petitioner was again examined by Lt. Commander Mr. Kamal Mishra of INS Veerbahu, the Petitioner workman was suffering from Bronchial Asthma and Hyper Tension. This certificate has not been challenged by the Petitioner. He has not claimed or as alleged animosity against Sri Kamal

Mishra, Lt. Commander Surgeon who examined and the Petitioner and advised for sedentary work. It has been argued by the Learned Counsel for the Petitioner that Petitioner never submitted his resignation letter but Petitioner has nowhere challenged that the alleged letter of resignation does not bear his signature or it is not in the handwriting of the Petitioner. Moreover, the Petitioner himself has issued a receipt of receiving Rs.5,000/- security deposit received and other dues and issued a 'no dues certificate' dated 11-3-2003, which is on this record. The Petitioner has not been taken the courage to challenge this receipt and his signature and handwriting on this receipt. MW1 Sri B.N. Yadav, Petty Officer has appeared before this Court for cross examination who had stated that the Petitioner submitted resignation. The Petitioner has suggested that the signature on the resignation letter was obtained by misrepresentation. This means, the resignation letter bears the signature of the Petitioner. Thus, the signature of the Petitioner on the resignation letter coupled with the no dues certificate issued by the Petitioner and ill-health certificate issued by Sri Kamal Mishra proves that the Petitioner was suffering from Bronchial Asthma and Hypertension and he was not fit to perform heavy physical work, thereby he submitted his resignation letter and the management after sending him for medical examination considered the medical report, accepted the resignation letter of the Petitioner. Thereby the management has not committed any illegality or irregularity in accepting the resignation of the Petitioner and relieving him from the duties. Thus, the action of the management of INS Virbahu, Visakhapatnam in terminating the services of Sri M. Jangamaiah w.e.f. 11-3-2003 is legal and justified.

7. The Petitioner himself has admitted in his cross examination that he had attained the age of 58 years. No doubt, the Petitioner has denied that he has attained age of 65 years but looking to his ill-health and growing age of the retirement the action of the management is fully justified. Petitioner is not entitled for any relief. Hence, this award.

Award passed accordingly. Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant, transcribed by her, corrected and pronounced by me on this the 27th day of April, 2009.

VED PRAKASH GAUR, Presiding Officer

Appendix of evidence

| Witnesses examined for the Petitioner | Witnesses examined for the Respondent |
|---------------------------------------|---------------------------------------|
| WW1: Sri M. Jangamaiah | MW1: Sri B.N. Yadav |
| | MW2: Sri Kamal Mishra |

Documents marked for the Petitioner

- Ex.W1: Copy of appointment lr. Dt.17-1-2002
 Ex.W2: Copy of lr. Dt.11-3-2003 issued by Respondent
 Ex.W3: Copy of representation dt.21-5-2003 addressed to ALC(C), Visakhapatnam
 Ex.W4: Copy of Minutes of conciliation dt.8-7-2003
 Ex.W5: Copy of lr. Dt. 19-11-2003 issued by the LEO(C) to Respondent
 Ex.W6: Copy of lr. Dt. 5-12-2003 issued by the LEO(C) to Respondent
 Ex.W7: Copy of Staff Minutes Sheet dt.20-12-2001 of the Respondent

Documents marked for the Respondent

- Ex.M1: Copy of medical case sheet of Petitioner dt. 10-3-2003

नई दिल्ली, 22 मई, 2009

का.आ. 1691.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारत संचार निगम लिमिटेड के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचाट (संदर्भ संख्या 59/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-05-2009 को प्राप्त हुआ था।

[सं. एल-40012/37/2005-आईआर(डीयू.)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 22nd May, 2009

S.O. 1691.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 59/2004) of the Central Government Industrial Tribunal/Labour Court Hyderabad as shown in the Annexure in the Industrial dispute between the employers in relation to the management of Bharat Sanchar Nigam Limited and their workman, which was received by the Central Government on 22-05-2009.

[No.L-40012/37/2005-IR(DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT
AT HYDERABAD**

Present : Shri Ved Prakash Gaur, Presiding Officer

Dated the 12th day of February, 2009

Industrial Dispute No. 59/2005

BETWEEN

Smt B. Padma,
C/o P. Appa Rao Reddy,
NUBSNLW (FNTO), No. 252,
Labour Colony, Vidyadharapuram,
Vijayawada-12

...Petitioner

AND

The General Manager,
Bharat Sanchar Nigam Ltd.,
Vijayawada

...Respondents

APPEARANCES

For the Petitioner : M/s K. Ajay Kumar, Sudha and
M. Govind, Advocates

For the Respondent : Sri Karoor Mohan, Advocate

AWARD

The Government of India, Ministry of Labour by its Order No. L-40012/37/2005-IR(DU) dated 11-8-2005 referred the following dispute under section 10(1)(d) of the I.D. Act, 1947 for adjudication to this Tribunal between the management of Bharat Sanchar Nigam Ltd., and their workman. The reference is,—

SCHEDULE

“Whether the action of the management of Bharat Sanchar Nigam Ltd., Vijayawada in dismissing services of Smt. B. Padma, Ex-casual Labour is justified? If not, to what relief the workman is entitled to?”

The reference is numbered in this Tribunal as I.D. No. 59/2005 and notices were issued to the parties.

2. For several adjournments including today, i.e. 12-2-2009, both parties called absent. Petitioner has not filed claim statement even after more than three years. As such, Nil Award is passed in absence of claim statement. Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her corrected and pronounced by me on this the 12th day of February, 2009.

VED PRAKASH GAUR, Presiding Officer

APPENDIX OF EVIDENCE

Witnesses examined for the Petitioner Witnesses examined for the Respondent

NIL

NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 22 मई, 2009

का.आ. 1692.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारत संचार निगम लिमिटेड के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचाट (संदर्भ संख्या 58/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-05-2009 को प्राप्त हुआ था।

[सं. एल-40012/36/2005-आईआर(डीयू.)]

सुरेन्द्र सिंह, डेस्क अधिकारी

filed a writ petition before the Hon'ble High Court of A.P. and Hon'ble High Court of A.P. on 3-12-99 has passed an order that the Petitioner be reengaged in service as a fresh face, in the light of this order of the Hon'ble High Court of A.P., the Petitioner was reengaged in 11-2-2000. As such, the claim of the Petitioner for regularization w.e.f. 1-2-2000 is neither possible nor it is factual in position because on 1-2-2000 the Petitioner was not in the service of the Respondent. The Learned Counsel for the Respondent has drawn the attention of this court towards the statement of the Petitioner wherein the Petitioner has stated that order of the Hon'ble High Court of A.P. dated 3-12-99 is final order, that is the copy of the judgement in WP No. 22598/99, leading to fresh engagement, wherein Hon'ble High Court of A.P., has ordered that the Petitioner be reengaged as fresh face for all purposes, thereby leaving no scope to reckon the earlier period as claimed by him for purpose of regularization of the Petitioners. The Hon'ble High Court of A.P., has ordered that regularization shall depend upon the future exigency, any scheme to be launched by the management depending upon the suitability of the workmen. The Petitioner has not been able to prove that he was not reengaged in the light of the order passed by the Hon'ble High Court of A.P., on 8-2-2000. The Petitioner himself has filed judgement of Hon'ble High Court of A.P., which proves that the Petitioner was engaged as a fresh face on 11-2-2000 under Respondent's management. He has not filed any scheme launched by management for regularization. Thus, the date of entry of the Petitioner is 11-2-2000. As such the claim of Petitioner to be regularized w.e.f. 1-2-2000 is unfounded and baseless and misconceived.

6. I have considered arguments of both the parties and have also gone through the statement of Petitioner and the documents filed by him. From the own submission of the Petitioner it is fully proved that the Petitioner was engaged as a fresh face on 11-2-2000. Thus, the claim of Petitioner for regularization w.e.f. 1-2-2000 is neither factual nor he is entitled for regularization with effect from the date when he was not in the service. There is no material placed by the Petitioner of this case on the file of this Tribunal to prove that any casual mazdoor junior to the Petitioner has been regularized by the Respondent management leaving Petitioner alone for the regularization or for promotion.

7. The documents filed by the Respondent i.e., Ex.M11 that is the order of the Hon'ble High Court of A.P. is very material regarding regularization of the Petitioner's services in the Respondent management, because the Hon'ble High Court of A.P., has directed that the regularization of the Petitioners shall depend on the future exigencies, any scheme to be launched by the management and the suitability of the workmen. The Petitioner of this case has not been able to prove or place any material before this tribunal that the management has launched any scheme of the regularization, for the services of the casual mazdoors. As such, unless there is a scheme launched by the management for regularization of the services of the Petitioner, the services of the Petitioner can not be regularized on the basis of the claim put forward by the Petitioner.

8. From the above discussion, this Tribunal has come to the conclusion, that Petitioner's claim for the regularization is based on misconceived and incorrect facts or misleading facts and is not entitled for regularization w.e.f. 1-2-2000 as claimed by him. In the result, it is held, that the action of the management of M/s. Bharat Sanchar Nigam Limited in not regularizing the services of Sri K. Bhagwan Reddy, Petitioner w.e.f. 1-2-2000 is justified. He is not entitled for the relief claimed by him.

Award passed accordingly. Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her corrected and pronounced by me on this the 25th day of March, 2009.

VED PRAKASH GAUR, Presiding Officer

Appendix of Evidence

| | |
|---------------------------------------|---------------------------------------|
| Witnesses examined for the Petitioner | Witnesses examined for the Respondent |
|---------------------------------------|---------------------------------------|

| | |
|-------------------------|---------------------------|
| WW1: Sri K. Sathi Reddy | MW1: Sri B. Narsinga Rao |
| | MW2: Sri M. Venkata Swamy |

Documents marked for the Petitioner

Ex.W1: Copy of Ir. No.E-G-46/Vol. XII/02-03/12 dt.5-9-2002
 Ex.W2: Copy of Ir. No.EI-ID A Pay scales/04-05/19 dt. 21-5-04
 Ex.W3: Copy of letter TA/SDB/20-2/Corr/kw/99/82 Dt. 20-11-2000
 Ex.W4: Copy of Ir. No.269-94/90-511.II(PER.VI) dt.4-1-01
 Ex.W5: Copy of Lr. No.E-6-60/IV/TSM/2001-02/111 dt. 3-5-01
 Ex.W6: Copy of Lr. No. TA/STB/20-2/Genl/2001 dt.19-6-2001

Documents marked for the Respondent

Ex.M1: Copy of order of Hon'ble High Court of A.P. dt.22-11-2000
 Ex.M2: Copy of Ir.269-94/98-STN Dt.29-9-2000 reg. Regularization of casual labourers.
 Ex.M3: Copy of Ir.269-4/93-STN-II(Pt.) Dt.12-2-99 reg. Ban on casual labourers engagement
 Ex.M4: Copy of Ir. No. 269-4/93-STN-II(Pt.) Dt.15-6-1999 reg. Ban on casual labourers engagement.
 Ex.M5: Copy of Ir. No.270/6/84-STN dt. 30-3-1985 reg. Casual labourers engagement.
 Ex.M6: Copy of Ir. No.15w/C.L./89-90 dt.17-7-1990 reg. Verification of days of casual labourers
 Ex.M7: Copy of Ir. dt.7-11-89 reg. Temporary status to casual labourers.
 Ex.M8: Copy of Enquiry report
 Ex.M9: Copy of reference order dt. 5-3-2004
 Ex.M10: Copy of order of Hon'ble Supreme Court of India dt. 2-1-95
 Ex.M11: Copy of order of Hon'ble High Court of A.P. dt. 27-3-2006

नई दिल्ली, 22 मई, 2009

का.आ. 1694.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारत संचार निगम लिमिटेड के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचाट (संदर्भ संख्या 9/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-5-2009 को प्राप्त हुआ था।

[फा. सं. एल-40012/54/2006-आईआर (डी.यू.)]
सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 22nd May, 2009

S.O. 1694.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 9/2007) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure in the Industrial dispute between the employers in relation to the management of Bharat Sanchar Nigam Limited their workman, which was received by the Central Government on 22-5-2009.

[F. No. L-40012/54/2006-IR (D.U.)]

SURENDRA SINGH, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT
AT HYDERABAD**

Present : Shri Ved Prakash Gaur, Presiding Officer

Dated the 10th day of February, 2009

Industrial Dispute No. 9/2007

BETWEEN

Sri N. Gopal,
S/o Sri Pochaiah,
H.No. 1-9-16/19, Ramnagar
(Med Bavi Basti),
Hyderabad.

.....Petitioner

AND

The Chief General Manager Telecom,
M/s. Bharat Sanchar Nigam Limited,
Andhra Pradesh Circle, Door Sanchar Bhawan,
Abids, Nampally Station Road,
Hyderabad-500 001.

.....Respondent

APPEARANCES

For the Petitioner : Nil

For the Respondent : Sri Karoor Mohan, Advocate

AWARD

The Government of India Ministry of Labour by its order No. L-40012/54/2006-IR (D.U.) dated 5-01-2007 referred the following dispute under Section 10 (1)(d) of the I.D. Act, 1947 for adjudication to this Tribunal between the management of M/s. Bharat Sanchar Nigam Limited and their workman. The reference is,

SCHEDULE

"Whether the action of the management of Chief General Manager, Telecom, Bharat Sanchar Nigam Limited A.P. Circle, Hyderabad (AP) in terminating the services of their workman Shri N. Gopal S/o Sri Pochaiah, w.e.f. 30-11-2004 is legal and justified? If not, to what relief the workman is entitled?"

The reference is numbered in this Tribunal as I.D. No. 13/2007 and notices were issued to the parties.

2. On 10-2-2009 Petitioner called absent while Respondent's counsel is present. Petitioner has not filed claim statement as yet. About two years are going to be passed, but Petitioner is not taking any interest to pursue the matter, as such, Nil Award is passed in absence of claim statement. Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her corrected and pronounced by me on this the 10th day of February, 2009.

VED PRAKASH GAUR, Presiding Officer

Appendix of evidence

Witnesses examined for
the Petitioner

Nil

Witnesses examined for
the Respondent

Nil

Documents marked for the Petitioner

Nil

Documents marked for the Respondent

Nil

नई दिल्ली, 22 मई, 2009

का.आ. 1695.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेन्दल पोटेटो रिसर्च इंस्टिट्यूट के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 189/97) को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-5-2009 को प्राप्त हुआ था।

[फा. सं. एल-42012/168/96-आईआर (डी.यू.)]
सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 22nd May, 2009

S.O. 1695.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 189/97) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Central Potato Research Institute and their workmen, which was received by the Central Government on 22-5-2009.

[F. No. L-42012/168/96-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRAKUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT-1, CHANDIGARH**

Case No. I.D. 189/97

Shri Ranjit Singh, S/o Shri Ram Sarup, Bagria House,
Servant Quarter, Chhota, Shimla (HP).

.....Applicant

Versus

The Director, Central Potato Research Institute, Shimla.

.....Respondent

APPEARANCES

For the workman : Sri R. P. Rana

For the management : Sri Amit Sharma

AWARD

Passed on 18-5-09

The Government of India vide Notification No. L-42012/168/96-IR (DU) dated 27-10-97 referred the following industrial dispute for judicial adjudication to this Tribunal :

“ Whether the action of the management of Central Potato Research Institute, Shimla Represented the Director in awarding punishment of removal from service on Shri Ranjit Singh, Grade-I (Safaiwala) w.e.f. 16-4-1996 is just and legal ? If not to what relief the workman is entitled to and from which date ? ”

After receiving the reference both of the parties were informed. Both of the parties appeared. Workman Late Shri Ranjit Singh filed his statement of claim and management of respondent has filed his written statement. Both of the parties were also afforded the opportunity for filing evidence oral and documentary. Before cross-examination, the workman died and his legal representatives were brought

on record. Thereafter, parties were further given the opportunity of being heard and for adducing evidence. From the ordersheet it is evident that after receiving the file of enquiry report and enquiry proceedings, this Tribunal fixed the case for hearing on fairness of enquiry. It is hereby made clear that workman was removed from the services of his inaction to work by making unauthorized absence not only once but several time. The management after conducting the enquiry removed the workman from the services on contention that the charges of unauthorized absence and indiscipline were well proved against him. The workman filed the appeal which was dismissed. Thereafter, the workman raised an industrial dispute and on account of failure of conciliation reports, this reference.

As stated earlier, after receiving the file of enquiry proceedings including the enquiry report parties were heard on genuineness of enquiry. Order dated 16-4-2009 reveals that learned counsel for the workman conceded the enquiry to be fair, reasonable, proper and genuine. Thereafter vide above order dated 16-4-2009, opportunity for adducing evidence on perversity of decision making by enquiry officer, if any, and quantum of punishment was afforded. No oral evidence was adduced but it was contended by both of the parties that rest part of this reference be answered on the basis of the documentary evidence.

Parties were heard. It is contended by learned counsel for the legal representatives of the workman that considering the gravity of charges the punishment provided is not proportionate and it may give a cause to this Tribunal to invoke the jurisdiction under Section 11A of the Industrial Disputes Act, for diluting the punishment. It is further contended by the learned counsel for the legal representatives of the workman that as the workman is no more if the Court is considering the punishment not in proportionate to the committed misconduct, a reasonable compensation be awarded to the legal representatives of the workman. The learned counsel for the management has argued that considering the gravity and nature of misconduct there is no occasion for this Tribunal to invoke the jurisdiction under Section 11A of the Industrial Disputes Act.

I have gone through the entire enquiry proceedings and enquiry report. I have also gone through the letters written to the workman by the management and the letters written by the Incharge of the workman to the senior authorities regarding work and conduct of the workman. I have also perused the applications moved by the workman for ex-post facto sanction of leaves. The cumulative effect of these letters and applications is that the workman was in habit of unauthorized absent. Sometimes after getting the leave for one day he absented for couple of months and on another occasion even without applying for leave he absented for several months. He was in the habit to apply the leave for ex-post facto sanction.

The workman was posted against a post for a specific work. If the presence of the workman was not required there was no necessity for creation of post. Necessity of work is directly related with creation of post and appointment. The inaction of the workman disturbed the entire scheme and made the management in jeo parde on several occasions. There was no result of warning on the workman for his preceding leave with proper sanction. The harassment of the management by the act of the workman is reflected by several communication made by Incharge of the workman to senior authorities which are on record. The presence of workman was for smooth functioning of the department in which he was appointed. If by inaction of the workman smooth functioning is disturbed the law cannot permit the Court for any sympathy. In action and laxity should be severally dealt with.

Workman was a permanent employee. On unauthorized absent of the workman, it was not possible for the management to carry out the work of the workman by some other persons. The work to which the workman was appointed was of great importance. Without proper cleaning of the office we cannot imagine hygiene and healthy working conditions. By his unauthorized absent the workman disturbed these hygienic and proper working conditions of the office. Section 11A of the Industrial Disputes Act, permits this Tribunal to interfere in the punishment of removal and termination. But it is the well established principle of service jurisdiction that jurisdiction under section 11A should be invoke rarely only in the cases resulting in glaring injustice to the workman. Whether there is clear injustice to the workman is to be assessed, whether the punishment provided to the workman is in proportionate to the committed misconduct. If the punishment is in proportionate to the committed misconduct no interference on sympathy, antipathy or such other facts can be made in the punishment awarded by the prescribed authority. As stated earlier, the punishment provided is proportionate to the committed misconduct and no interference under Section 11A is required. The reference is answered accordingly. Let the Central Government be informed and thereafter, file be consigned.

G. K. SHARMA, Presiding Officer

नई दिल्ली, 22 मई, 2009

का.आ. 1696.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डाक विभाग के प्रबंधन के संबंध में निरीक्षणों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चेन्नई के पंचाट (संदर्भ संख्या 78/2007 को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-5-2009 को प्राप्त हुआ था।

[फा. सं. एल-40011/44/2007-आईआर (डीयू)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 22nd May, 2009

S.O. 1696.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 78/2007) of the Central Government Industrial Tribunal-cum-Labour Court, Chennai, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Department of Posts and their workman, which was received by the Central Government on 22-5-2009.

[F. No. L-40011/44/2007-IR (DU)]

SURENDRA SINGH, Desk Officer
ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
CHENNAI**

Monday, the 18th May, 2009

Present : A. N. Janardanan, Presiding Officer

Industrial Dispute No. 78/2007

In the matter of the dispute for adjudication under clause (d) of sub-section (I) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), between the Management of Post Offices and their workman]

BETWEEN

Sri G. Veerasamy
No. 3/393, Sivan Sannathi Street
Valakkarai
Melavalakkarai PO
Thiruvavur Distt.
Tamil Nadu-610204Petitioner

AND

The Superintendent of Post Offices
Department of Posts
Nagapattinam Division,
Nagapattinam Distt-611 001.Respondent

APPEARANCE

For the Petitioner : M/s. S. Jothivani

For the Management : Smt. Kanimozhi

AWARD

The Central Government, Ministry of Labour vide order No. L-40011/44/2007-IR (DU) dated 27-11-2007 has referred the dispute to this Tribunal for adjudication.

The schedule mentioned in that order is :

"Whether the action of the Management of Superintendent of Post Offices, Nagapattinam in terminating the services of their workman Sri G. Veerasamy, w.e.f. 28-02-2004 is legal and justified? If not, to what relief the workman is entitled to?"

2. After the receipt of Industrial Dispute, this Tribunal has numbered it as 78/2007 and issued notices to both sides. Both sides entered appearance through their Advocates and filed their Claim and Counter Statement respectively.

3. Brief facts of the case of the Claimant are as follows:

The petitioner, an ED Postmaster at Melavazhakarai Post Office was charge sheeted on 1-11-2003 by the Superintendent of Post Offices, Nagapattinam under charges that he failed to account Rs. 600, Rs. 550 and Rs. 350 accepted from the depositor of SB Account No. 496338 respectively on 20-11-2002, 22-11-2002 and 3-11-2003. Similarly failed in respect of Rs. 250 collected from G. Mallika, RD A/c holder with No. 975013 on 29-11-2002, Rs. 350 collected from RD A/c holder, Indira with No. 976115 on 28-12-2002 and further a sum of Rs. 153 from RD A/c holder K. Subbaiah with No. 976114 on 6-09-2002. The petitioner thus lost integrity and devotion to duty required of him under Rule-21 Gramin Dak Sevaks (C&E) Rules, 2001. Copies of documents were not furnished to the petitioner violating the principles of natural justice. There was an influence from the Enquiry Officer upon him to admit the charge unconditionally and that if so and he would be let off with a warning. He bonafide believed and accepted charges, thus. Thus, the Enquiry Officer holding the charges as proved brought about the impugned punishment of removal from service on 28-02-2004. Appeal preferred was rejected on 07-07-2004. So too the revision was rejected on 30-09-2004. The documents were obtained behind the back of the petitioner. The same resulted in ineffective defence being raised in the explanation. The right to engage a Defence Assistant not being infringed, he was prejudiced in the conduct of the enquiry. If a *denovo* enquiry is allowed, the petitioner can prove his innocence. The punishment of removal from service resulted in his economic and civil death. It is harsh. There is no application of mind in the finding. He prays for reinstatement with concomitant service and monetary benefits.

4 In the Counter Statement, following contentions are raised:

On account of the lapses of the petitioner, he was placed under off duty from 07-03-2003. Later he credited the entire amounts defrauded. The delinquent proceeded against under Rule-10 of Gramin Dak Sevaks (Conduct & Employment), Rules, 2001 under Memo dated 01-11-2003, admitted the charges by reply dated 05-12-2003. An enquiry was held and in the enquiry report dated 23-01-2004, the factum of the delinquent having admitted the charges without reservation was intimated. The charge was concluded proved and copy of report was sent to the delinquent. In the reply dated 16-02-2004, charges were further admitted and leniency was prayed for. The petitioner had previously misappropriated RD deposit amount and was debarred from recruitment as Postman for

3 years on 30-05-2001. There was no need of engagement of a Defence Assistant since petitioner admitted charges through his representation dated 05-12-2003 and in the deposition given before the Enquiry Officer, The petitioner did not mend his lapses even after the first minor punishment but was continuing the same. There is no need for *denovo* enquiry. His claim is to be dismissed

5. The Points for consideration are:

- (i) Whether the removal from service of the petitioner by the Management is legal and justified?
- (ii) In not, to what relief the petitioner is entitled?

Point No. 1

6. After the filing of the Counter Statement, the Respondent thereafter continued to be absent and eventually he was called absent and set *ex-parte*. The petitioner filed affidavit in lieu of Examination in chief to prove his case. Heard petitioner's counsel.

7. In this reference apart from filing the Counter Statement, no documents have been produced from the Respondent's side. At the fag end when the ID was being posted from time to time for the purpose, Respondent continuously remained absent and he has been set *ex-parte*. The evidence let in by the petitioner by way of affidavit in lieu of Chief Examination is now only the evidentiary material, the veracity of which does not stand tested with the touchstone of a cross-examination. In proof of the case of the petitioner, there is only the sworn affidavit of the petitioner against which there is no evidentiary material from the side of the Respondent in rebuttal. That is to say there is only one-sided evidence adduced by the petitioner, if the uncontroverted materials sworn to in the affidavit may properly be characterized as evidence at all. The case of the petitioner is that the Respondent was prevailing upon him to obtain his acceptance of the charges unconditionally and thereby the Enquiry Officer contrived to fish out his admission to the charges. According to him, the enquiry is not proper nor the documents were served to him by way of copies which were obtained on his back and that the enquiry is against the principles of natural justice. The case of the Respondent is that the petitioner was unconditionally admitting the guilt and signing the defence representation and there was no need for the appointment of any Defence Assistant and proceeding with the enquiry further. Actually no enquiry was held and the petitioner was being proceeded against on accepting the charges made by him with no reservation. Since the evidence adduced by the petitioner is only his sworn testimony by way of affidavit and no other, the petitioner cannot be said to have proved his case as pleaded by him. The judicial pronouncements are to the effect that affidavits being only self-serving evidence are not enough to prove the case of the deponent. Affidavit may be accepted as

sufficient proof when the Respondent in spite of after having come to know about that has chosen not to cross-examine the deponent thereafter indicating a case of acceptance of the contents. In this case the Respondent has been continuously absent and therefore has not been aware of the contents of the affidavit. The mere fact that they have therefore not come forward to challenge the veracity of the statements sworn to in the affidavit is not automatically to be taken as a case of no challenge to find that the case of the petitioner is to be held proved. Since evidence by affidavit cannot be a substantive proof for matters averred therein, it being only a self-serving evidence merely acting upon the same an order in favour of the petitioner cannot be sustained. The case of the Respondent as pleaded is that the petitioner had been guilty previously with minor misconducts whereupon he was debarred from recruitment as Postman of 3 years. Still he has not directed himself to correct or mend his lapses and therefore the petitioner is not entitled to any relief. Though pleading has not crystallized into evidence of the Respondent merely with the self-serving nature of evidence tendered by the petitioner, he cannot be found to have succeeded in proving his claim. The petitioner has admittedly accepted the charges unconditionally. It is held by High Court that in such cases holding enquiry is only empty formality. Therefore, his contentions being not substantiated, he cannot be given any of the reliefs prayed for. It is only to be found that the order of his removal from service is legal and justified. So found.

8. Resultantly, the petitioner is not entitled to any relief.

9. The reference is answered accordingly.

(Dictated to the P.A., transcribed and typed by him, corrected and pronounced by me in the open court on this day the 25th April, 2008).

A.N. JANARDANAN, Presiding Officer

Witness Examined :

For the 1st Party/Petitioner : None

For the 2nd Party/Management : None

Documents Marked on the petitioner's side

| Ex.No. | Date | Description |
|--------|------|-------------|
| | Nil | |

On the Management's side

| Ex.No. | Date | Description |
|--------|------|-------------|
| | Nil | |

नई दिल्ली, 22 मई, 2009

का.आ. 1697.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नेशनल सीड्स कॉर्पोरेशन लिमिटेड के प्रबंधन के संबंध में नियोजकों और उनके

कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचाट (संदर्भ संख्या 10/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-5-2009 को प्राप्त हुआ था।

[फा. सं. एल-42011/117/2007-आईआर (डीयू)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 22nd May, 2009

S.O. 1697.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.10/2008) of the Central Government Industrial Tribunal-cum-Labour Court Hyderabad, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of National Seeds Corporation Ltd. and their workman, which was received by the Central Government on 22-5-2009.

[F.No.L-42011/117/2007-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT HYDERABAD

Present : Shri Ved Prakash Gaur, Presiding Officer

Dated the 2nd day of February, 2009

Industrial Dispute No. 10/2008

BETWEEN

Sri D.T.V. Rama Krishna Reddy,
CITU Office, 2/7, Brodiepet,
Guntur

..... Petitioner

AND

1. The Regional Manager,
National Seeds Corporation Ltd.,
Tukaram Gate, Lalaguda,
Secunderabad

2. The Area Manager,
National Seeds Corporation Ltd.,
Auto Nagar, Guntur

..... Respondent

APPEARANCES

For the Petitioner : Nil

For the Respondent : Nil

AWARD

The Government of India, Ministry of Labour vide its order No. L-42011/117/2007-IR (D.U.) dated 29-2-2008 has referred the following dispute under Section 10(1)(d) of the I.D. Act, 1947 for adjudication to this Tribunal between the management of National Seeds Corporation Ltd., and their workmen. The reference is,

SCHEDULE

"Whether the demand of the National Seeds Corporation Workers Union for extending the benefit of weightage @ Rs. 4/- for first year and subsequently @ Rs. 5/- after completion of every five years, for Shri A. Samrajyam and 72 other workers, as per annexure, at par with other 15 workers, who have received these benefit, is legal and justified? If yes, to what relief the workmen are entitled to and from which date?"

The reference is numbered in this Tribunal as I.D. No. 10/2008 and notices were issued to the parties.

2. On 2-2-2009 both parties called absent. Petitioner has not filed claim statement even after seeking time to file the same. As such, Nil Award is passed in absence of claim statement. Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her corrected and pronounced by me on this the 2nds day of February, 2009.

VED PRAKASH GAUR, Presiding Officer

Appendix of evidence

Witnesses examined for the Petitioner

Nil

Witnesses examined for the Respondent

Nil

Documents marked for the Petitioner

Nil

Documents marked for the Respondent

Nil

नई दिल्ली, 22 मई, 2009

का.आ. 1698.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबंध में निोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/न्यायालय, हैदराबाद के पंचाट (संदर्भ संख्या 37/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-5-2009 को प्राप्त हुआ था।

[फा. सं. एल-40012/212/2002-आईआर (डी.यू.)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 22nd May, 2009

S.O. 1698.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.37/2003) of the Central Government Industrial Tribunal-cum- Labour Court, Hyderabad as shown in the Annexure in the industrial Dispute between the employers in relation to the management of Department of Telecom and their workmen, which was received by the Central Government on 22-5-2009.

[F. No. L-40012/212/2002-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT
HYDERABAD**

Present : Shri Ved Prakash Gaur, Presiding Officer

Dated the 24th day of February, 2009

Industrial Dispute No. 37/2003

BETWEEN

Sri P. Lingaiah,
S/o Sri Narasaiah,
Telephone Exchange, 7-237,
Kindi Basti, Medchal-501401.

.....Petitioner

AND

The Sub Divisional Officer,
Telecom, Telephone Exchange,
Medchal, Ranga Reddy District.

.....Respondent

APPEARANCES

For the Petitioner : Sri S. Lakshma Reddy, Advocate

For the Respondent : M/s Ch. Yadava Reddy &
S. Prabhakar Reddy, Advocates

AWARD

The Government of India, Ministry of Labour by its order No. L-40012/212/2002-IR (D.U.) dated 26-2-2003/5-3-2003 referred the following dispute under Section 10(1)(d) of the I.D. Act, 1947 for adjudication to this Tribunal between the management of Telecom and their workman. The reference is,

SCHEDULE

"Whether the action of the management of Department of Telecom having its Telephone exchange at Medchal in Andhra Pradesh in terminating the services of Sh. P. Lingaiah, Ex. Watchman is fair, legal and justified? If not, to what relief the Ex-workman is entitled for?"

The reference is numbered in this Tribunal as I.D. No. 37/2003 and notices issued to the parties.

2. The Petitioner filed claim statement stating that he has joined as casual labourer on 1-9-92 as a watchman in Telephone Exchange, Medchal. It is further submitted that he continuously worked till his oral termination dated 1-8-1998. He prayed to direct the Respondent to reinstate the Petitioner and regularize his services with all consequential benefits.

3. Counter filed by the Respondent denying the averments made in the claim statement. It is submitted that the Petitioner was engaged intermittently on ACG-17 which is an expenditure voucher used for accounts purpose and

instances like this does not constitute employer-employee relationship, as such, the question of termination does not arise. It is further submitted that the Petitioner continued to work under M/s. Bombay Securities and not under the Respondent. Hence, the petition be dismissed.

4. Parties were directed to produce their respective evidences. Petitioner filed his chief examination affidavit reiterating the facts mentioned in the claim statement. He marked documents Ex. W1 to W7. He presented himself for cross-examination.

5. On 24-2-2009, Petitioner called absent while Respondent's counsel is present. Order sheet transpires that Petitioner is not attending to this case for last two years. In absence of Petitioner or his witness evidence is closed. Hence, Nil Award passed. Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her corrected and pronounced by me on this the 24th day of February, 2009.

VED PRAKASH GAUR, Presiding Officer

Appendix of evidence

| | |
|--|--|
| Witnesses examined for the Petitioner | Witnesses examined for the Respondent |
|--|--|

| | |
|----------------------|-----|
| WW1: Sri P. Lingaiah | NIL |
|----------------------|-----|

Documents marked for the Petitioner

Ex. W1: Copy of failure of conciliation report dt. 28-2-02
Ex. W2: Copy of representation to the GM. telecom dt. 13-5-04
Ex. W3: Copies of WW1's co-worker's affidavits.
Ex. W4: Copy of D.G. Telecom Circular dt. 7-2-86
Ex. W5: Copy of DOT letter No. 10-13/87-Rates dt. 8/9-12/1976
Ex. W6: Copy of notification of M/o labour dt. 8/9-12-1976
Ex. W7: Copy of circular by D/o Telecom dt. 29-2-2000

Documents marked for the Respondent

NIL

नई दिल्ली, 22 मई, 2009

का.आ.1699.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारत संचार निगम लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचाट (संदर्भ संख्या 46/2005) प्रकाशित करती है, जो केन्द्रीय सरकार को 22-5-2009 को प्राप्त हुआ था।

[फा. सं. एल-40012/179/2004-आई.आर. (डी.यू.)]
सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 22nd May, 2009

S.O. 1699.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.46/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure in the industrial dispute between the employers in relation to the management Bharat Sanchar Nigam Limited and their workman, which was received by the Central Government on 22-5-2009.

[F.No.L-40012/179/2004-IR(D.U.)]

SURENDRA SINGH, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT HYDERABAD

Present : Shri Ved Prakash Gaur, Presiding Officer

Dated the 12th day of February, 2009

Industrial Dispute No. 46/2005

BETWEEN

Sri K. Shiva Reddy,
C/o Shri P. Appa Rao Reddy, District
Secretary, NUBSNLW (FNTD), No. 252,
Labour Colony, Vidyadharapuram,
Vijayawada.Petitioner

AND

The General Manager
Bharat Sanchar Nigam Ltd.,
Vijayawada. Respondent

APPEARANCES

For the Petitioner : M/s. A. Raghu Kumar & B.
Pavan Kumar, Advocates

For the Respondent : Sri M. Shankar Narayan,
Advocate

AWARD

The Government of India, Ministry of Labour by its order No. L-40012/179/2004-IR (D.U.) dated 3-5-2005 referred the following dispute under Section 10(1)(d) of the I.D. Act, 1947 for adjudication to this Tribunal between the management of M/s. Bharat Sanchar Nigam Ltd. and their workman. The reference is,

SCHEDULE

"Whether the action of the management of Bharat Sanchar Nigam Ltd., Vijayawada in dismissing services of Sri K. Shiva Reddy, Ex-casual Labour is justified? If not, to what relief the workman is entitled to?"

The reference is numbered in this Tribunal as I.D. No. 46/2005 and notices were issued to the parties.

2. The Petitioner filed claim statement stating that he was initially engaged as casual labourer on 1-7-1992 on muster rolls of the Asst. Engineer, External E-10B till 30-7-1995. He was engaged at various offices upto 31-3-2000 and his services were terminated w.e.f. 1-4-2000 without any notice and prayed to direct the Respondent to grant temporary status and regularization of services.

3. Counter was filed. The Respondent denied the averments made in the petition and also denied that the Petitioner was engaged under Respondent. Hence, the petition be dismissed.

4. On 12-2-2009, when case called out for Petitioner's evidence, both parties called absent and parties are not attending to this case for more than two years. As such,

their evidence is closed. Hence, Nil Award is passed in absence of evidence. Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her corrected and pronounced by me on this the 12th day of February, 2009.

VED PRAKASH GAUR, Presiding Officer

Appendix of evidence

Witnesses examined for the
Petitioner

NIL

Witnesses examined for
the Respondent

NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL